



TOWN OF INNISFIL CORPORATE POLICY

POLICY: <i>Closed Meeting Investigations</i>	COUNCIL APPROVAL DATE: 3/12/2008 RES. NO.: CR-084.08
POLICY NO.: <i>CP.03-08-02</i>	REVISED DATE: 02/15/2017 RES. NO.: CR-027-09.17

Background:

Under Section 239 of the *Municipal Act*, 2001, as amended, (the “**Act**”) any individual may request that an investigation be undertaken to determine whether a municipality or local board has complied with the Act or its Procedural By-law in respect of a meeting or part of a meeting that was closed to the public.

Through By-law No. 105-16, the Town of Innisfil (the “**Town**”) appointed Local Authority Services (“**LAS**”) who offers a program with respect to closed meeting investigations. To deliver this program, LAS has contracted a third party, Amberley Gavel Ltd. as its Investigator (the “**Investigator**”), to investigate and report on closed meeting complaints to determine compliance with the Act or the Town’s Procedural By-law.

Policy Statement:

The Town is committed to ensuring that any request for an investigation under the Act is dealt with in a fair, open and expeditious manner.

The Town commits to full co-operation including the provision of all information requested by the Investigator, either written or through interviews, to assist the Municipal Investigator in his/her investigations.

In accordance with Section 239.2(11) of the Act, the Town shall ensure that any reports received from the Investigator by the municipality are made available to the public.

The Town commits to including any report received from the Investigator related to an investigation under the Act, on a public agenda and to considering such report in an open public session of Council or a Committee of Council.

This policy shall be posted on the Town’s website and available from the Clerk’s Department, Town of Innisfil, 2101 Innisfil Beach Road, Innisfil, ON L9S 1A1 or by contacting the Clerk’s Department at (705) 436-3710 or through e-mail to clerksoffice@innisfil.ca.

This policy applies to all appointed Boards and sub-committees of the municipality.

Procedures – Request for Investigation:

Prior to submitting a request for investigation, members of the public, including corporations, are encouraged to discuss their concerns or inquiries with the Municipal Clerk.

Members of the public, including corporations, may submit requests to the Investigator relating to compliance with the Act or the Town's Procedural By-law for meetings or part of meetings that are closed to the public.

All requests will be treated confidential by the Town and the Investigator, unless authorization is given by the requestor to release his or her identity.

Request forms may be downloaded from the Town's website or are available in the Clerk's Department.

Requests may be submitted on the Request Form, or otherwise in writing in a sealed envelope clearly identified as a complaint under Section 239 of the *Municipal Act* and forwarded by mail to:

Clerks Office, Town of Innisfil
2101 Innisfil Beach Road
Innisfil, ON L9S 1A1
Tel: 705-436-3710

[or to]

Amberley Gavel Ltd.
35 Ambleside Drive,
London, ON N6G 4M3
Tel: 1-866-535-8079

All complaints must contain the following information:

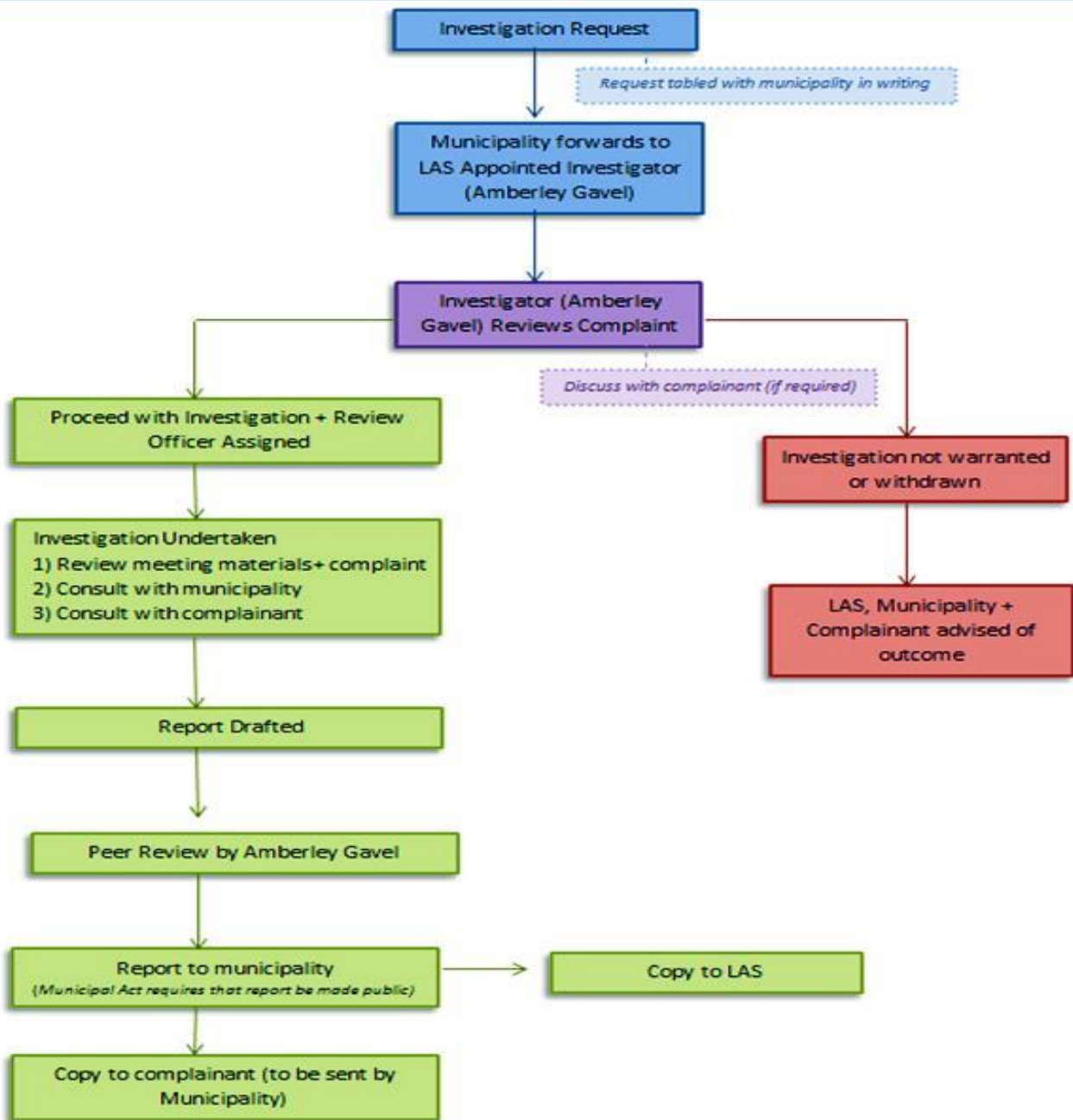
- Name of municipality
- Requestor's name, mailing address, telephone number and e-mail address
- Date of closed meeting under consideration
- Nature and background of the particular occurrence
- Any activities undertaken (if any) to resolve the concern
- Any other relevant information
- Direction with respect to release of identity
- Original signature

When requests are submitted directly to the Clerk, the Clerk shall follow the following procedures:

1. Ensure that the requests remain confidential
2. Assign a file number and record a file number on the envelope
3. Log the file number together with the date and time received
4. Forward, forthwith to the Municipal Investigator by regular mail

For all requests the municipality shall supply forthwith to the Investigator the following or any other information or documentation as requested by the Investigator related to a complaint:

- Certified copy of Notice of Meeting
- Certified copy of the agenda
- Certified copy of the Minutes of meeting
- Relevant resolutions
- Municipal contact list
- other



Timeframe:

The Investigator will commence his/her investigation within two weeks of receipt of a request.