



The Regional Municipality of Durham Report

To: Finance and Administration Committee
From: Commissioner of Corporate Services
Report: #2026-A-11
Date: April 14, 2026

Subject:

Appointment of an Integrity Commissioner for the 2026-2030 term of Regional Council

Recommendation:

That the Finance and Administration Committee recommends to Regional Council:

- A) That By-law 41-2022 be repealed and replaced with a By-law generally in the form included as Attachment #1 to this Report, to confirm the appointment of Boghosian + Allen LLP as the provider of Integrity Commissioner services for the Regional Municipality of Durham; and
 - B) The initial term of contract for the Integrity Commissioner shall be for the 2026-2030 term of Regional Council with the option to renew for an additional Council term.
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Report:

1. Purpose

- 1.1 The purpose of this report is to appoint Boghosian + Allen LLP to provide Integrity Commissioner services for the Regional Municipality of Durham.

2. Background

- 2.1 The current Integrity Commissioner contract expires at the end of the term of Council, November 14, 2026, therefore it was necessary to conduct a selection process to ensure that Integrity Commissioner services are in place for the next term of Council.

3. Previous Reports and Decisions

- 3.1 Report [#2016-COW-75](#) Bill 8 – Public Sector and MPP Accountability and Transparency Act, 2014: Appointment of Regional Integrity Commissioner

3.2 Report [#2022-A-19](#) – Appointment of an Integrity Commissioner for the Region of Durham

4. Selection Process

4.1 In accordance with the Region's Consultant and Professional Services Contracting Procedure, where the project or annual value of a consulting or professional service assignment is expected to be less than \$100,000, the initiating department shall obtain three proposals, where possible, and evaluate the submissions based on price and quality-based criteria. The highest scoring proposal shall be selected, and a consulting agreement shall be prepared based on established procedures and executed by the Director, in this case the Regional Clerk. Based on the previous level of complaints and inquiries, the annual value for Integrity Commissioner services is expected to be less than \$100,000.

4.2 Invitations to enter into a consulting and professional services contract with the Region were sent to nine individuals/firms. Three proposals were received and evaluated by a team from the Legal Services Department and Corporate Services – Legislative Services. Respondents also participated in presentation and interview sessions which were evaluated by the same team, with the addition of the Clerks and/or Deputy Clerks from Oshawa, Pickering, Uxbridge and Whitby.

4.3 The overall scores between the three proponents were incredibly close and references from existing clients were considered in the final selection process. The interview panel concluded that each proponent, including the Region's current Integrity Commissioner, *Principles Integrity*, was capable of delivering exceptional service in a vital transparency and oversight role.

4.4 Based on the results of the selection process, it is recommended that Boghosian + Allen LLP be appointed as Regional Council's Integrity Commissioner for the 2026-2030 term of office. Boghosian + Allen LLP is a well-known and respected firm operating in the field of municipal law for over 20 years. They currently serve as Integrity Commissioner for 13 municipalities in Ontario, including comparable large municipalities such as the City of Hamilton. The firm is well-resourced and will be able to provide timely response to code of conduct complaints and requests for advice from members of Council.

5. Legislative Parameters

5.1 Under the Municipal Act, 2001, Council is required to appoint an Integrity Commissioner. The Legislative Services division of Corporate Services, under the direction of the Regional Clerk, serves as the Region's liaison to accountability officials including the Integrity Commissioner. The Integrity Commissioner is an independent officer who reports directly to Council and whose powers and duties are set out in the Municipal Act, 2001:

- a. The application of the code of conduct for members of council and the code of conduct for members of local boards.

- b. The application of any procedures, rules and policies of the municipality and local boards governing the ethical behaviour of members of council and of local boards.
 - c. The application of sections 5, 5.1 and 5.2 of the Municipal Conflict of Interest Act to members of council and of local boards.
 - d. Requests from members of council and of local boards for advice respecting their obligations under the code of conduct applicable to the member.
 - e. Requests from members of council and of local boards for advice respecting their obligations under a procedure, rule, or policy of the municipality or of the local board, as the case may be, governing the ethical behaviour of members.
 - f. Requests from members of council and of local boards for advice respecting their obligations under the Municipal Conflict of Interest Act.
 - g. The provision of educational information to members of council, members of local boards, the municipality, and the public about the municipality's codes of conduct for members of council and members of local boards and about the Municipal Conflict of Interest Act.
- 5.2 The Integrity Commissioner may recommend that Regional Council impose penalties in accordance with the Municipal Act, 2001 if in the opinion of the Integrity Commissioner a Member of Council has contravened the Code of Conduct.

6. Area Municipal Considerations

- 6.1 As with the previous Integrity Commissioner appointment, Durham's Area Municipalities may choose to avail themselves of the services of the Region's Integrity Commissioner under independent contract. Clerks and Deputy Clerks from various area municipalities were involved in the selection process for the Integrity Commissioner in order to provide a balanced evaluation of the proponents and an understanding of the range of approaches to the role and services offered.
- 6.2 The Region's current Integrity Commissioner, *Principles Integrity*, continues to serve as Integrity Commissioner for the majority of Durham's local municipalities, many of whom have had a positive and constructive relationship. The Area Municipalities are under no obligation to appoint the same Integrity Commissioner as the Region, and their participation in the selection process will help guide their decision in this regard.

7. Relationship to Strategic Plan

- 7.1 This report aligns with/addresses the following Strategic Direction(s) and Pathway(s) in Durham Region's 2025-2035 Strategic Plan:
- a. Strong Relationships
 - S3. Collaborate across local area municipalities, with agencies, non-profits, and community partners to deliver co-ordinated and efficient services.

- S5. Ensure accountable and transparent decision-making to serve community needs, while responsibly managing available resources.

7.2 This report aligns with/addresses the following Foundation(s) in Durham Region's 2025-2035 Strategic Plan:

- a. Processes: Continuously improving processes to ensure we are responsive to community needs.

8. Conclusion

8.1 Following an evaluation of the proposals submitted and a presentation/interview component, an agreement will be entered into with Boghosian + Allen LLP for Integrity Commissioner services for the Regional Municipality of Durham, subject to appointment by Regional Council.

8.2 For additional information, contact: Alexander HARRAS. Regional Clerk, at 905-668-7711, extension 2100.

9. Attachments

Attachment #1: Proposed By-law to appoint Integrity Commissioner

Prepared by: Leigh Fleury, Deputy Clerk, at 905-668-7711, extension 2020.

Respectfully submitted,

Original signed by

Barb Goodwin, MPA, CPA/CGA,
B.Comm, CPM, CMMIII
Commissioner of Corporate Services

Recommended for Presentation to Committee

Original signed by

Elaine C. Baxter-Trahair
Chief Administrative Officer

By-law Number 2026-xx
of The Regional Municipality of Durham

Being a by-law to appoint Boghosian + Allen LLP as the Integrity Commissioner for the Regional Municipality of Durham.

Whereas pursuant to Part V.1 of the Municipal Act 2001 S.O. c. 25 a municipality is authorized to appoint an Integrity Commissioner who reports to Council and who is responsible for performing in an independent manner the functions assigned by the municipality;

Now therefore the Council of The Regional Municipality of Durham hereby enacts as follows:

1. That pursuant to section 223.3 (1) of the Municipal Act, 2001, S.O. c. 25, Boghosian + Allen LLP be appointed as the Integrity Commissioner for the Corporation of the Regional Municipality of Durham.

Role

2. That the role of the Regional Integrity Commissioner shall be to perform in an independent manner the functions assigned by the municipality with respect to any or all of the following:
 - a. The application of the Code of Conduct for Members of Council and for members of local boards of the municipality;
 - b. The application of any procedures, rules and policies of the Region and local boards governing the ethical behavior of Members of Council and of local boards;
 - c. The application of sections 5, 5.1, 5.2, and 5.3 of the Municipal Conflict of Interest Act to Members of Council and local boards.
 - d. Respond to requests from Members of Council and of local boards for written advice respecting their obligations under the Code of Conduct applicable to the member.
 - e. Respond to requests from Members of Council and of local boards for advice respecting their obligations under a procedure, rule or policy of the Region or of a local board, governing the ethical behaviour of members.

- f. Respond to requests from Members of Council and of local boards for advice respecting their obligations under the Municipal Conflict of Interest Act.
- g. Provide educational information to Members of Council and local boards.

Duties

- 3. That the Regional Integrity Commissioner shall cause to perform, in an independent manner, the functions of an Integrity Commissioner pursuant to Part V.1 of the Municipal Act, 2001 with respect to the application of the Code of Conduct for Members of Council of the Regional Municipality of Durham, including any legislation, procedures, rules and policies of the Region of Durham governing the ethical behaviour of the Members of Council. The mandate of the Regional Integrity Commissioner will include:
 - a. Provisions of advice and education upon request by a Member of Council or by Council as a whole, regarding ethical obligations and responsibilities under their Code of Conduct, and any other legislation, rules or policies governing their ethical behaviour;
 - a. Receiving, assessing and investigating where appropriate, complaints made by Council, a member of Council, a member of staff, or a member of the public respecting an alleged breach of the Code of Conduct for the Members of Council of the Regional Municipality of Durham through the provisions of the Code of Conduct and the Complaints Protocol;
 - b. Receiving, assessing and conducting an inquiry, where appropriate, with respect to requests for inquiry made by an elector or a person demonstrably acting in the public interest concerning an alleged contravention of section 5, 5.1, 5.2, or 5.3 of the Municipal Conflict of Interest Act; and
 - c. Giving advice on policy issues and the workings of the Regional Integrity Commissioner's office.

Reporting to Council

- 4. That the Regional Integrity Commissioner shall report directly to Regional Council on the results of investigations, and shall provide an annual report summarizing the year's activities, observations, and any resulting general recommendations.
- 5. That the Integrity Commissioner may recommend that Regional Council impose penalties in accordance with the Municipal Act, 2001 if in the opinion of the Regional Integrity Commissioner, a Member of Council has contravened the Code of Conduct.

Other General Provisions

6. That should the Regional Integrity Commissioner conduct an investigation or provide any other service, it shall do so in accordance with the terms and conditions of the Agreement executed between it and the Regional Municipality of Durham and shall adhere to all applicable laws, statutes, and established Regional policies.
7. That should the Regional Municipality of Durham desire any further services from the Regional Integrity Commissioner outside what is outlined in this by-law, the Regional Integrity Commissioner may oblige in providing such other services and the Regional Integrity Commissioner will charge their hourly fee in accordance with the Agreement for such other services.
8. That all services provided by the Integrity Commissioner conform to all the statutory requirements of s. 223.3 to 223.8 of the Municipal Act S.O., 2001.
9. That this By-law shall come into effect on November 15, 2026.
10. That By-law #41-2022 shall be repealed effective November 14, 2026.

This By-law Read and Passed on the 29th day of April, 2026.

J. Henry, Regional Chair and CEO

A. Harras, Regional Clerk