

March 1, 2016

Chair and Members
Corporate Services Committee

Re: Ombudsman Investigation Process

In accordance with our interpretation of the Ombudsman Act, the City of London has not disclosed when an investigation is ongoing, as the legislation indicates that investigations are to be kept private. As well, the information and process falls within the jurisdiction of the Ontario Ombudsman and not the City of London.

I understand, however, that the Ombudsman's Office has indicated to members of the public that the fact that an investigation is ongoing can be released publicly by the municipality.

In order to ensure that there is no confusion with respect to the process or interpretation of the legislation, I respectfully request that the following recommendation be supported:

“That the following actions be taken with respect to Ontario Ombudsman investigations:

- a) the Ontario Ombudsman BE REQUESTED to put in place a process that publicly discloses that an investigation is being undertaken;
- b) the Ontario Ombudsman BE REQUESTED to confirm, in writing, that the municipality may publicly disclose that an investigation has been commenced and the general nature of the investigation; and,
- c) upon receipt of the written confirmation requested in b), above, the Civic Administration BE DIRECTED to prepare a policy outlining the process that will be followed when the City of London has been advised by the Ontario Ombudsman that an investigation has been commenced and the process that will be undertaken by the City of London with respect to public disclosure of the Ontario Ombudsman's Final Report related to the closed meeting investigation.”

Respectfully submitted,

M. Salih
Councillor, Ward 3