

Presented To:	Audit Committee
Presented:	Tuesday, Oct 24, 2017
Report Date	Thursday, Oct 05, 2017
Type:	Managers' Reports

## **Request for Decision**

### **Annual Status Report on Wrongdoing Hotline**

#### **Resolution**

THAT the City of Greater Sudbury endorses the recommendation as outlined in the report entitled "Annual Status Report on Wrongdoing Hotline" from the Auditor General, presented at the Audit Committee meeting on October 24, 2017.

<b>Signed By</b>
<b>Auditor General</b> Ron Foster Auditor General <i>Digitally Signed Oct 5, 17</i>

#### **Relationship to the Strategic Plan / Health Impact Assessment**

Providing semi-annual reports on the wrongdoing hotline supports the strategic goal of establishing responsive, fiscally prudent, open governance. It also demonstrates the City's focus on openness, transparency and accountability in everything we do.

#### **Report Summary**

This report summarizes Hotline activities and provides information on the nature, status and disposition of specific complaints/allegations received between June 1 to December 31, 2016 as well as between January 1, 2017 to May 31, 2017 and for the year ended May 31, 2017. It also provides one recommendation to improve the effectiveness of Hotline support activities.

#### **Financial Implications**

The report recommends that the Auditor General's Reserve be used to fund the costs for investigations of systemic or serious complaints about members of Council. The reserve has sufficient funding to cover the costs for external investigators for several years.

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# Annual Status Report on the Wrongdoing Hotline

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12-Month Period Ended  
May 31, 2017

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 **AUDITOR GENERAL**

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## **SUMMARY**

The 'Wrongdoing Hotline' was introduced on June 1, 2016, for citizens, employees and contractors to report complaints/allegations that could be deemed illegal, dishonest, wasteful or a deliberate violation of city policy.

This report summarizes Hotline activities and provides information on the nature, status and disposition of specific complaints/allegations received between June 1, 2016 and May 31, 2017.

Only 12 percent (19 of 156) of the complaints received required actions to be taken which is typical for municipalities that have recently implemented hotlines.

The next status report on the Wrongdoing Hotline will be provided to Audit Committee in January 2018.

## **OBSERVATIONS**

### **1. Management of Complaints**

The volume of complaints has been higher than anticipated due to some confusion about the purpose of the Wrongdoing Hotline. Many of the complaints received can be addressed under the City's 311 service or processes for staffing issues.

To address this observation, the Auditor General and General Manager of Corporate Services will coordinate a communications effort to clarify the purpose and scope of the hotline on the wrongdoing website page and to update the script for the telephone hotline.

### **2. Cost of Complaint Handling Process**

Excluding the start-up costs, the cost for staff members to review and investigate wrongdoing complaints during the year was approximately \$25,000. The City also incurred costs of \$23,137 to engage external contractors to provide independent reviews of sensitive complaints.

While allegations of wrongdoing are investigated as thoroughly and quickly as possible, investigating some complaints can be disruptive as they can be of great concern to both individuals and groups of staff.

### **3. Complaint Backlog**

A backlog consisting of 35 unresolved complaints existed at the end of May 2017. As at the end of September, this backlog had been reduced to 4 complaints that had been received at the end of May.

The backlog is being monitored by the Auditor General and the General Manager of Corporate Services. If the volume grows, steps will be taken to resolve the backlog on a timely basis.

### **4. Investigation Process for Members of Council**

A number of complaints have been filed regarding the conduct of an individual member of Council.

#### **Recommendation:**

Systemic or serious complaints about members of Council should be contracted out for investigation. The Auditor General's Reserve can be used to fund these investigations.

**Mayor's Response:**

Thank you for providing the Mayor's Office and Council with recommendations relating to systematic or serious complaints about a member of Council. I am in agreement that systematic or serious complaints should be contracted out for investigation to allow for an unbiased, third party review and to provide advice to City of Greater Sudbury Council.

As the Auditor General reports to the Audit Committee, I would be supportive of this committee making a final decision on how to proceed on this matter.

**SUMMARY OF COMPLAINTS**

Source of Complaint	7 Months June 2016 to Dec 2017	5 Months January 2017 to May 2017	12 Months June 2016 to May 2017
<b>Total complaints</b>	<b>97</b>	<b>85</b>	<b>182</b>
Tests	(4)	0	(4)
Incomplete complaints	(13)	(9)	(22)
<b>Complaints received</b>	<b>80</b>	<b>76</b>	<b>156</b>
Complaints closed	(64)	(45)	(109)
<b>Active complaints</b>	<b>16</b>	<b>31</b>	<b>47</b>

<b>Complaints Received</b>	<b>80</b>	<b>76</b>	<b>156</b>
Referred to By-law or Building Services for review	(15)	(12)	(27)
Referred to 311 for review	(4)	(14)	(18)
Referred to related Agencies and Boards for review	(2)	(1)	(3)
Referred to external law enforcement or courts	(2)	(1)	(3)
Referred to others or closed as unrelated to CGS	(10)	(6)	(16)
<b>Complaints subject to investigation</b>	<b>47</b>	<b>42</b>	<b>89</b>
Closed as no evidence of wrongdoing found	(24)	(8)	(32)
<b>Complaints which required further analysis</b>	<b>23</b>	<b>34</b>	<b>57</b>
Closed with action planned or taken *	(8)	(6)	(14)
<b>Active complaints not yet analyzed</b>	<b>15</b>	<b>28</b>	<b>43</b>
Closed following interim report as no evidence of wrongdoing found	(3)	-	(3)
Closed following interim report with action planned or taken *	(5)	-	(5)
<b>Active complaints not analyzed</b>	<b>7</b>	<b>28</b>	<b>35</b>

*\*Complaints that were closed with action planned or taken are described in more detail on page 4.*

Subject of Complaints Investigated	Active Complaints End of December 2016	Total End of May 2017
Office of the Mayor	0	0
Members of Council	1	3
City Processes	4	15
City Staff	10	17
<b>Total</b>	<b>15</b>	<b>35</b>

## COMPLAINTS WHICH REQUIRED ACTION

Number	Opened	Closed	Type of Complaint	Complaints Closed with Action Planned or Taken
16-0026	July	Jan	Conduct of staff	Action has been taken to remind staff of City policy on personal cell phone usage.
16-0027	July	July	Conduct of staff	Action has been taken to remind Transit staff of need for adherence to schedules.
16-0035	Aug	Aug	Conduct of staff	Action has been taken to review job site etiquette with Roads and Transportation employees.
16-0039	Aug	May	Conduct of staff	Action has been taken to address the conduct of City staff on a job site.
16-0044	Sept	May	Conduct of staff	Action has been taken to confirm that a physical altercation occurred in the workplace and that discipline was issued.
16-0053	Sept	Dec	Procurement process	Action has been taken to review the upgrade of kitchens in fire halls.
16-0055	Oct	Jan	Conduct of staff	Action has been taken by management to speak with the operator and additional training will be provided if necessary.
16-0056	Oct	April	Conduct of staff	Action is planned in accordance with the Harassment and Discrimination policy to address the conduct of the supervisor.
16-0064	Oct	May	Procurement process	Action is planned to review the process for contract extensions.
16-0075	Nov	Nov	Quality of contract work	Action has been taken by staff to review the work for an explanation. The concerns about rudeness were reported to the contracting organization.
16-0081	Dec	Dec	Reports to public	Action will be taken to provide semi-annual status reports to the public on the wrongdoing hotline commencing in June 2017.
16-0084	Dec	Dec	Actions of public	Action has been taken and will continue to be taken by Transit management in cooperation with employees and CUPE to attempt to address abuse of bus operators by the public.
16-0087	Dec	Jan	Area for improvement	Action has been taken to encourage suggestions for improvement like this to be forwarded to management for review and action.
17-0001	Jan	May	Building Code	Action has been taken to address a building code infraction.
17-0014	Jan	May	Conduct of staff	Action has been taken to remind supervisors of the rules for snow plow truck operators.
17-0019	Feb	May	Investigation Process for Fire Services	Action is planned to ensure all investigations are completed objectively and competently in accordance with generally accepted methodologies.
17-0029	March	May	Conduct of staff	Action is planned to review training provided to volunteers.
17-0037	March	March	Conduct of staff	Action is planned to reinforce CGS' Discrimination and Harassment Policy, Workplace Violence and Harassment Prevention Policy and Code of Conduct.
17-0040	March	May	Conduct of staff	Action has been taken to review the employee's conduct and to review the City's policies with the employee.

**INDIVIDUAL COMPLAINTS TO THE END OF MAY 2017**

<b>Complaint Number</b>	<b>Opened</b>	<b>Closed</b>	<b>Complaint/Allegation</b>	<b>Investigation Outcome</b>
16-0001	June	June	Test	N/A
16-0002	June	June	Test	N/A
16-0003	June	Sept	Dog attack	Referred to 311 for action
16-0004	June	June	Parking infractions	Referred to Bylaw Services
16-0005	June	June	Barking dogs	Referred to Bylaw Services
16-0006	June	Sept	Equipment lost at Azilda dump	No action planned or taken
16-0007	N/A	N/A	Complaint form not completed	N/A
16-0008	June	Aug	Results of investigation by the Mayor's Office	No action planned/taken as no evidence of wrongdoing
16-0009	Sept	Sept	City support for medical clinic in Chelmsford	No action planned/taken as no evidence of wrongdoing
16-0010	June	June	Conduct of staff	No action planned/taken as no evidence of wrongdoing
16-0011	N/A	N/A	Complaint form not completed	N/A
16-0012	June	June	Resident who yells at people	Referred to law enforcement
16-0013	N/A	N/A	Complaint form not completed	N/A
16-0014	N/A	N/A	Complaint form not completed	N/A
16-0015	June	Sept	Cooking device on apartment balcony	Referred to 311 for action
16-0016	June	June	Shoreline alterations by employee in another municipality	Not related to CGS services
16-0017	June	Sept	Watering of lawn	Referred to Bylaw Services
16-0018	June	Sept	Watering of lawn	Referred to Bylaw Services
16-0019	June	Dec	Conduct of the Mayor	No action planned/taken as no evidence of wrongdoing
16-0020	June	Sept	Use of City equipment	No action planned/taken as no evidence of wrongdoing
16-0021	June	Aug	Renovations to City Street	No action planned/taken as no evidence of wrongdoing
16-0022	June	Aug	Education room at Frobisher	No action planned/taken as no evidence of wrongdoing
16-0023	June	Sept	Price of recycling containers	No action planned/taken as no evidence of wrongdoing
16-0024	June	Sept	Unfair contract award process	No action planned/taken as no evidence of wrongdoing
16-0025	June	July	Fairness of bidding process	No action planned/taken as no evidence of wrongdoing
16-0026	July	Aug	Use of personal cell phone by staff	Closed with action planned or taken
16-0027	July	July	Bus failed to show up	Closed with action planned or taken
16-0028	N/A	N/A	Complaint form not completed	N/A
16-0029	July	Sept	Personal use of city vehicle	No action planned/taken as no evidence of wrongdoing
16-0030	July	Aug	Alleged harassment in workplace	Closed with no action planned or taken as this complaint has been

				heard through the formal grievance process in Human Resources
16-0031	N/A	N/A	Complaint form not completed	N/A
16-0032	July	Sept	Use of firecrackers and fireworks	Referred to 311 for action
16-0033	Aug	Sept	Actions of staff	No action planned/taken as no evidence of wrongdoing
16-0034	Aug	Aug	Kids smoking in public places	Referred to Bylaw Services
16-0035	Aug	Aug	Actions of City staff	Closed with action planned or taken
16-0036	N/A	N/A	Complaint form not completed	N/A
16-0037	N/A	N/A	Complaint form not completed	N/A
16-0038	Aug	Aug	Unacceptable wait times at road construction site	Not related to CGS services
16-0039	Aug	May	Conduct of City staff on a job site	Closed with action planned or taken
16-0040	Aug	Aug	Actions of Co-op program staff	Not related to CGS services
16-0041	Aug	Sept	Parking leaky camper trailer	Referred to 311 for action
16-0042	Aug	Sept	Unfair contract award process	No action planned/taken as no evidence of wrongdoing
16-0043	N/A	N/A	Complaint form not completed	N/A
16-0044	Sept	May	Potential harm to people	Closed with action planned or taken
16-0045	Sept	Dec	Actions of a staff member	No action planned/taken as no evidence of wrongdoing
16-0046	Sept	Sept	Parking in park	Referred to 311 for action
16-0047	Sept	Sept	Loud concert music in evening	No action planned/taken as no evidence of wrongdoing
16-0048	Sept	Sept	Garbage burning	Referred to 311 for action
16-0049	Sept	Oct	Plumbing not to standards	Referred to Building Inspection for review
16-0050	Sept	Sept	Premature closure of dump	No action planned/taken as no evidence of wrongdoing
16-0051	Sept	Sept	Misuse of handicap parking.	Referred to 311 for action
16-0052	Sept	Oct	Premature closure of Chelmsford wastewater treatment plant	Referred to 311 for action
16-0053	Sept	Dec	Upgrade of fire hall kitchens	Closed with action planned or taken
16-0054	Oct	Dec	Alleged conflict of interest	No action planned/taken as no evidence of wrongdoing
16-0055	Oct	Oct	Driving of a staff member	Closed with action planned or taken
16-0056	Oct	April	Supervisory comments and conduct	Closed with action planned or taken
16-0057	Oct	Oct	Garbage bag limits	No action planned/taken as no evidence of wrongdoing
16-0058	N/A	N/A	Complaint form not completed	N/A
16-0059	Oct	Open	Personal use of City vehicles	Open
16-0060	Oct	Dec	Building inspection assignments	No action planned/taken as no evidence of wrongdoing
<b>16-0061</b>	<b>Oct</b>	<b>Open</b>	<b>Complaint against a Councilor</b>	<b>Open</b>
16-0062	N/A	N/A	Complaint form not completed	N/A
16-0063	Oct	Oct	Increase in parking fine	POA matter subject to Appeal See Council report Dec 2016

16-0064	Oct	May	Annual price increases on contracts	Closed with action planned or taken
16-0065	Oct	Dec	Restricted use of library services	No action planned/taken as no evidence of wrongdoing
<i>16-0066</i>	<i>Oct</i>	<i>Open</i>	<i>Request for fees reimbursement</i>	<i>Open</i>
16-0067	Nov	Nov	Lack of signs to indicate road painting	Not related to CGS services
16-0068	Nov	Nov	Vehicle damaged by road paint	Not related to CGS services
16-0069	Nov	Nov	Complaint regarding Sudbury and District Health Unit	Not related to CGS services
16-0070	Nov	Nov	Actions of a private property owner	Not related to CGS services
16-0071	Nov	Nov	Test	N/A
16-0072	Nov	Nov	Test	N/A
16-0073	Nov	Nov	Expenditures of a non-profit housing board	Not related to CGS services
16-0074	Nov	Nov	Tenant on Ontario Works not paying rent	Not related to CGS services
16-0075	Nov	Nov	Quality of construction work	Closed with action planned or taken
16-0076	Nov	Dec	Illegal plumbing	Referred to Buildings Services
16-0077	Nov	Dec	Actions of Sudbury Housing staff	No action planned/taken as no evidence of wrongdoing
16-0078	Dec	Dec	Road through conservation area	Referred to 311 for action
16-0079	Dec	Dec	Vehicles idling	Referred to 311 for action
16-0080	Dec	Dec	Driving of city bus driver	Referred to 311 for action
16-0081	Dec	Dec	Information on complaints to this hotline	Closed with action planned or taken
16-0082	Dec	Dec	Failure to collect garbage	Referred to 311 for action
16-0083	Dec	Dec	Personal use of City vehicle	No action planned/taken as no evidence of wrongdoing
16-0084	Dec	Dec	Bus drivers abused by customers and management	Closed with action planned or taken
16-0085	Dec	Dec	Recyclable waste not collected	No action planned/taken as no evidence of wrongdoing
16-0086	Dec	Dec	Snowplowing on Hwy 144	Complaint referred to external entity
16-0087	Dec	Dec	Lack of green bin in a City facility	Closed with action planned or taken
<i>16-0088</i>	<i>Dec</i>	<i>Open</i>	<i>Complaint about a supervisor</i>	<i>Open</i>
16-0089	N/A	N/A	Complaint form not completed	N/A
<i>16-0090</i>	<i>Dec</i>	<i>Open</i>	<i>Privacy issue</i>	<i>Open</i>
<i>16-0091</i>	<i>Dec</i>	<i>Open</i>	<i>Allegation regarding invoices of a contractor</i>	<i>Open</i>
<i>16-0092</i>	<i>Dec</i>	<i>Open</i>	<i>Use of foul language by staff</i>	<i>Open</i>
16-0093	N/A	N/A	Complaint form not completed	N/A
16-0094	Dec	May	Complaint about a supervisor	No action planned/taken as no evidence of wrongdoing
16-0095	Dec	Mar	Residents pushing snow onto the road	No action planned/taken as no evidence of wrongdoing
16-0096	Dec	Jan	Failure to be fair with complaint	No action planned/taken as no



				evidence of wrongdoing
16-0097	Dec	Open	Complaint about a supervisor	Open
17-0001	Jan	May	Complaint about a building code infraction	Closed with action planned or taken
17-0002	Jan	May	Snow plowing creating high bank and visibility problem	Referred to By-law for action
17-0003	Jan	Open	Staff disposing of bags of house hold garbage into the garbage bin at work	Open
17-0004	Jan	Open	Concerns about adequacy of snow plowing operations	Open
17-0005	Jan	Open	Snow clearing of employee parking lots	Open
17-0006	Jan	Open	Rationale for contracting out work	Open
17-0007	Jan	Open	Fairness of the RFP process for a specific type of work	Open
17-0008	Jan	Jan	Unsafe snow clearing	Referred to By-law for action
17-0009	Jan	Open	Procurement process for upgrades to the kitchens in the Fire Halls	Open
17-0010	Jan	Open	Consulting fees paid for the Fire Services optimization plan	Open
17-0011	N/A	N/A	Complaint form not completed	N/A
17-0012	Jan	Jan	Overcrowding on 500 University via Paris bus	Referred to 311 for action
17-0013	Jan	Jan	Fairness of process for allocating overtime to staff	No action planned/taken as no evidence of wrongdoing
17-0014	Jan	May	Driving by snow plow truck operator	Closed with action planned or taken
17-0015	Jan	May	Hiring process for Executive Deputy Chief of Fire and Paramedic Services	No action planned/taken as no evidence of wrongdoing
17-0016	Jan	Feb	inquiry to the building of a home in Chelmsford	No action planned/taken as no evidence of wrongdoing
17-0017	Feb	Feb	Timeliness of Lasalle Cambrian bus	Referred to 311 for action
17-0018	Feb	May	Consulting fees that were paid to new Deputy Chief	No action planned/taken as no evidence of wrongdoing
17-0019	Feb	May	Investigation process for improper conduct within Fire Services	Closed with action planned or taken
17-0020	N/A	N/A	Complaint form not completed	N/A
17-0021	Feb	Open	Out of town expenses of a staff member	Open
17-0022	Feb	March	Snowmobiles traveling on Kenwood street to Bancroft Drive	Referred to external law enforcement or courts
17-0023	Feb	Open	Flyer posted on an office bulletin board appears inappropriate	Open

17-0024	Feb	March	Concerns about a fire starting in a building with a tenant who is a hoarder	Closed as outside of City's jurisdiction to regulate
17-0025	N/A	N/A	<i>Complaint form not completed</i>	N/A
17-0026	Feb	May	Property diminished by the City's actions	No action planned/taken as no evidence of wrongdoing
17-0027	Feb	Open	A private person has a lease with the city that's below market value	Open
17-0028	March	Open	Actions of a snow plow operator	Open
17-0029	March	May	Actions of people responsible for maintenance of the Skead rink.	Closed with action planned or taken
17-0030	N/A	N/A	Complaint form not completed	N/A
17-0031	March	March	Vandalism of seniors crossing sign	Referred to 311 for action
17-0032	March	Open	Rejection of snow plow trucks	No action planned/taken as no evidence of wrongdoing
17-0033	March	March	Parking restriction violation at Sudbury Housing Corp.	Referred to the agency for review
17-0034	March	Open	Actions of a bus driver	Open
17-0035	March	April	Call from collection agency	Closed as outside of City's jurisdiction
17-0036	March	Open	Actions of operator of city dump truck.	Open
17-0037	March	March	Allegations of harassment and suggestive behavior	Closed with action planned or taken
17-0038	March	March	Road work near the residence of caller	Referred to 311 for action
17-0039	N/A	N/A	<i>Complaint form not completed</i>	N/A
17-0040	March	May	Employee using inappropriate language on social media	Closed with action planned or taken
17-0041	March	Open	Work at Tom Davies Sq. has been delayed by several months	Open
17-0042	March	March	Person at a school bus stop had a pitbull with no muzzle	Closed as not related to CGS services
17-0043	March	March	An apartment is illegal as there is no escape for the tenant	Referred to By-law services
17-0044	March	Open	Allegation that money is being stolen from Sudbury residents	Open
17-0045	March	March	Sale of antiques by a resident	Referred to By-law services
17-0046	March	March	Women walking her pitbull with no muzzle to a school bus stop	Closed as not related to CGS services
17-0047	March	Open	Employment terms of an employee at Pioneer Manor	Open
<b>17-0048</b>	<b>April</b>	<b>Open</b>	<b>Complaint regarding conduct of a member of Council</b>	<b>Open</b>
17-0049	N/A	N/A	<i>Complaint form not completed</i>	N/A
17-0050	April	April	Someone cut a trail through his property	Closed as this falls outside the jurisdiction of the City.
17-0051	April	April	Actions of a City bus driver	Referred to 311 for action
17-0052	April	April	Actions of bus drivers in this city	Referred to 311 for action

17-0053	April	Open	Garbage on junction creek trail by St Francis school needs to be emptied.	Referred to 311 for action
17-0054	April	Open	Sanitary concerns regarding employees at a retail outlet	Closed as this falls outside the jurisdiction of the City.
17-0055	April	May	Lack of building permits for a residence	No action planned/taken as no evidence of wrongdoing
17-0056	April	Open	Conduct of a member of Council	Open
17-0057	April	April	Neighbor is throwing food in the back yard trying to attract bears	Referred to By-law services for action
17-0058	April	April	Improper Traffic Control	Referred to 311 for action
17-0059	April	Open	Conduct of operator of a City vehicle	Open
17-0060	April	Open	Business activities being conducted in the workplace by a City employee	Open
17-0061	April	Open	Personal use of City vehicles	Open
17-0062	May	May	City workers taking a 2 hour break	No action planned/taken as no evidence of wrongdoing
17-0063	N/A	N/A	Complaint form not completed	N/A
17-0064	May	May	Residents using their neighbor's property to discard waste	Referred to By-law services for action
17-0065	May	May	Timeliness of Sudbury Transit bus	Referred to 311 for action
17-0066	May	Open	Actions of City's By-law officer	Open
17-0067	May	Open	Actions of City's By-law officers	Open
17-0068	N/A	N/A	<i>Complaint form not completed</i>	N/A
<b>17-0069</b>	<b>May</b>	<b>Open</b>	<b>Actions of a staff member regarding testing of animals</b>	<b>Open</b>
17-0070	May	May	Neighbor is building a deck attach to the house without a permit	Referred to Building Services for action
17-0071	N/A	N/A	<i>Complaint form not completed</i>	N/A
17-0072	May	May	Trailer parked on the street in front of neighbor's house again	Referred to 311 for action
17-0073	May	May	Request for RV locations to be reassessed	Referred to 311 for action
17-0074	May	May	Abandoned house that is boarded up	Referred to By-law services for action
17-0075	May	May	People have been breeding dogs in a residential area.	Referred to By-law services for action
17-0076	May	Open	City baseball field not having working lights	Referred to 311 for action
17-0077	May	May	Residents are blocking the alleyway to a residential area	Referred to By-law services for action
17-0078	May	May	People leave bags of garbage on the street and in the "wetland"	Referred to By-law services for action
17-0079	May	Open	Automatic contract extensions for office supplies	Open
17-0080	May	May	Gravel put on road with no flag person or pylons to warn users	Referred to 311 for action

17-0081	May	May	A company is demolishing and renovating a property without permits.	Referred to Building Services for action
<b>17-0082</b>	<b>May</b>	<b>Open</b>	<b>Audit issue for the community partnership grant application process</b>	<b>Open</b>
17-0083	May	May	Safety of passenger exiting a City bus	Referred to 311 for action
17-0084	May	May	A mountain of furniture and garbage has been accumulating at a residential location	Referred to 311 for action
17-0085	May	Open	Rationale and cost for having RV dumps in 3 different locations	Open

Note 1 - Complaints that are in bold text in the above report are still open at the time of this report.

Note 2 – Complaints that resulted in action planned or taken are highlighted in gray and described in greater detail on page 4 of this report.