

Appendix C

Guide to Trustee Code of Conduct: Procedure for Complaints

What is the Trustee Code of Conduct?

A policy which guides Trustees in discharging their duties and responsibilities in a professional and ethical manner consistent with Board Policy, Catholic Values and applicable legal requirements. The [Trustee Code of Conduct Policy](#) serves to enhance public trust and improve the quality of Board governance by encouraging high standards of conduct on the part of the Trustees, ensuring that they share a common standard of integrity through adherence to its provisions.

Who can make a complaint under the Trustee Code of Conduct?

The following are considered to be Eligible Complainants:

- a) a Trustee, student, staff member, contractor or service provider of the TCDSB;*
- b) a Roman Catholic (Separate School) elector;*
- c) an Eastern Right Rite Catholic;*
- d) a representative of an organization demonstrably interested in TCDSB matters; or*
- e) such other persons demonstrably interested in TCDSB matters.*

What is the process for filing a complaint?

Any Eligible Complainant who has identified or witnessed behaviour or an activity by a Trustee that they believe is in contravention of the Trustee Code of Conduct (the “Code”) is encouraged to address the prohibited behaviour or activity themselves by discussing the complaint directly with the Trustee. Steps a complainant might take in that regard include:

- advising the Trustee that the behaviour or activity contravenes the Code;*
- encouraging the Trustee to stop the prohibited behaviour or activity;*

- keeping a written record of the incidents including dates, times, locations, other persons present, and any other relevant information;
- if applicable, confirming to the Trustee their satisfaction with the response of the Trustee; or, if applicable, advising the Trustee of their dissatisfaction with the response; and
- considering the need to pursue the matter in accordance with the formal complaint procedure outlined in Part B of the Complaint Protocol, or in accordance with another applicable judicial or quasi-judicial process or complaint procedure.

An unresolved complaint may be filed with the Board's Integrity Commissioner by completing the Complaint Form set out at Schedule "A" of the Code of Conduct Complaint Protocol [link to the page] and submitting it to postoffice@principlesintegrity.org. Questions about the process may be sought by an email sent to the same address.

If a complaint involves an allegation of a conflict of interest under the Municipal Conflict of Interest Act, the Integrity Commissioner may where appropriate require that a formal statutory declaration be submitted in accordance with the requirements of that statute. The Integrity Commissioner will advise the complainant as necessary in this regard.

What happens once a formal complaint is made?

The Integrity Commissioner will contact the complainant to explain the process by which the complaint will be dealt with. If a formal investigation is commenced, the respondent Trustee, the complainant, and any relevant witnesses will be interviewed by the Integrity Commissioner. Where appropriate, additional information such as communications, documents, internet postings and other materials will be assessed for relevant evidence.

If it appears that the complaint will be sustained in whole or in part, the Integrity Commissioner will prepare a draft findings report and provide it to the responding Trustee for response. After considering the Trustee's response, if there remain findings that there has been a substantive breach

to an ethical standard, the Integrity Commissioner will finalize the report and may make recommendations to the Board for the imposition of a sanction.

For a graphical representation of the process, including the potential applicable sanctions, please see [Appendix B to the Complaint Protocol](#).

Will every complaint be pursued?

The Integrity Commissioner has the responsibility of determining whether it is in the public interest to pursue the complaint through a formal investigation. Even where a formal investigation is not commenced, the Integrity Commissioner may assist in resolving the complaint. Complaints which are about Board staff, about policy decisions made by the Board, or are otherwise not linked to an allegation that a Trustee has not met the ethical standards set out in the Code of Conduct will not be pursued.

Can I make a complaint anonymously?

The Integrity Commissioner must know the identity and have the contact information for every complainant. In addition, in most cases the Trustee who is subject to the complaint will be informed of the complainant's identity so that they may properly respond to the complaint. Unless a complainant is another Trustee, or a senior staff member of the TCDSB, the identity of a complainant will generally not be included in any public report made to the Board on the matter unless the identity is already widely-known or it is essential for the purpose of understanding the report. The complaint form and the complaint process is available in the [Trustee Code of Conduct Protocol \(Appendix A\)](#).