

BY EMAIL

October 31, 2025

Council for Prince Township
c/o Mayor Melanie Mageran
3042 Second Line West, R. R. 6
Prince Township, ON
P6A 6K4

Dear Members of Council for Prince Township:

Re: Closed meeting complaints

My Office received a complaint about a closed meeting held by council for Prince Township on January 14, 2025. The complaint alleged that council discussed a draft document *in camera* and that this discussion did not fit within any of the exceptions to the open meeting rules in the *Municipal Act, 2001* (the “Act”).¹

I am writing to advise that my review has determined that council did not contravene the Act during its closed meeting on January 14, 2025.

Ombudsman’s role and authority

The Act gives anyone the right to request an investigation into whether a municipality has complied with the Act in closing a meeting to the public. Municipalities may appoint their own investigator. The Act designates the Ombudsman as the default investigator for municipalities that have not appointed their own. My Office is the closed meeting investigator for Prince Township.

My Office has investigated hundreds of closed meetings. To assist municipal councils, staff, and the public, we have developed an online digest of open meeting cases. This searchable repository was created to provide easy access to the Ombudsman’s decisions

¹ SO 2001, c 25.



on, and interpretations of, the open meeting rules. Council members and staff can consult the digest to inform their discussions and decisions on whether certain matters can or should be discussed in closed session, as well as issues related to open meeting procedures. Summaries of the Ombudsman's previous decisions can be found in the digest: www.ombudsman.on.ca/en/info-public-bodies-and-officials/municipal-government/municipal-meeting-digest.

The Ontario Ombudsman also has the authority to conduct impartial reviews and investigations of hundreds of public sector bodies. This includes municipalities, local boards, and municipally-controlled corporations, as well as provincial government organizations, publicly funded universities, and school boards. In addition, the Ombudsman's mandate includes reviewing complaints about the services provided by children's aid societies and residential licensees, and the provision of French language services under the *French Language Services Act*. Read more about the bodies within our jurisdiction here: www.ombudsman.on.ca/en/make-complaint/what-we-can-help-you/organizations-you-can-complain-about.

Review

My Office reviewed the January 14, 2025 meeting materials including the agenda and minutes. We also reviewed a video recording of portions of the open session and spoke with the Clerk and the Mayor. We were advised that the Township does not record its closed meeting sessions and there was no recording available for our review. On May 2, 2025, we sent council a Notice of Investigation pursuant to section 18(1) of the *Ombudsman Act*.

January 14, 2025 meeting

Council met in the Prince Township Museum at 6:00 p.m. on January 14, 2025. After discussing the open session agenda items, at 6:23 p.m., council resolved to close the meeting. The resolution cited the exceptions in the Act listed under section 239(2)(b) for personal matters about an identifiable individual, including municipal or local board employees, and section 239(2)(d) for labour relations or employee negotiations.

The closed meeting minutes are detailed and summarize the topics discussed by council during the closed session. Consistent with the minutes, my Office was told that the topics discussed were connected to personal matters regarding identifiable individuals, including a discussion about these employees' performance or labour relations or employee negotiations. These discussions included the draft document referred to in the complaint to my Office.

Council reconvened in open session at 8:01 p.m. and passed a resolution reporting that it discussed four topics during the closed session including “Staff-related concerns, including personnel matters and operational challenges.”

Council adjourned the meeting shortly after at 8:02 p.m.

Analysis

Applicability of the exception for personal matters about an identifiable individual

The exception for personal matters applies to discussions that reveal personal information about an identifiable individual, including municipal employees. To qualify as personal information, it must be reasonable to expect that an individual could be identified if the information were disclosed publicly.²

Generally, information that pertains to an individual in their professional capacity will not fit within this exception.³ In some cases, information about a person in their professional capacity may fit within the exception if it reveals something personal or relates to scrutiny of an individual’s conduct.⁴ For example, information about an employee’s job performance is generally considered personal information.⁵

In this case, the *in-camera* materials refer to individual employees by their names and their positions. Council also discussed the job performance of specific identifiable employees. In this case, these discussions fit within the exception for personal matters.

Applicability of the exception for labour relations or employee negotiations

The purpose of the exception for labour relations or employee negotiations is to protect discussions relating to the relationship between a municipality and its employees.⁶ My Office has found that discussions about staff performance, conduct and discipline come within this exception.⁷

My Office’s review confirmed that the topics discussed during the closed session related to staff performance and fit within this exception to the open meeting rules.

² *Ontario (Ministry of Correctional Services) v Goodis* [2008], OJ No 289 at para 69.

³ IPC Order MO-2204.

⁴ *Supra* note 3.

⁵ IPC Order MO-2519.

⁶ *Norfolk (County) (Re)*, 2024 ONOMBUD 17 (CanLII), at para 57, <<https://canlii.ca/t/k81rh>>.

⁷ *South Huron (Municipality of) (Re)*, 2015 ONOMBUD 6 (CanLII), <<https://canlii.ca/t/gtp80>>.

Conclusion

My investigation determined that council for Prince Township did not contravene the open meeting rules in the *Municipal Act, 2001* during its meeting on January 14, 2025. I would like to thank the Township for its co-operation during my review.

The Clerk indicated that this letter will be shared with council and placed on the agenda for the next council meeting, and that a copy will be made available to the public prior to that meeting. At that time, I will also post a copy of this letter on my website at www.ombudsman.on.ca.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Paul Dubé', is written over a large, light-colored oval shape.

Paul Dubé
Ombudsman of Ontario

CC: Sam Carolei, Clerk, Prince Township

Cette lettre est aussi disponible en français