



Under the Sunshine Law – tips for closing meetings

During any informal gathering of members of council, committees or local boards:

- Take care not to enter into discussions that will further decision-making or lay the groundwork for decisions.

Before proceeding into a closed session, consider:

- Was notice of the meeting – and of the closed session – provided to the public in advance?
- Has a resolution been passed in open session, stating that a closed session will be held, along with reference to the subject to be discussed and the applicable exception under the *Municipal Act, 2001*?
- For “education or training” sessions, is the subject matter to be discussed appropriate for this exception and does the resolution specifically cite section 239(3.1) of the *Municipal Act*?
- Do all the issues to be considered *in camera* fall within one or more of the exceptions outlined in s. 239?
- Are detailed records – or ideally audio or video recordings – being kept?

While in closed session, consider:

- Are all the matters being discussed authorized in the resolution to proceed *in camera*?
- Are any votes taken only for the purpose of procedural matters or for giving directions or instructions to officers, employees or agents, as authorized by s. 239(6)?

When reconvening in open session, consider:

- Has as much information as possible been reported to the public about what occurred during the closed session (without undermining the reason for going in camera)?

When in doubt, open the meeting.

If you have a concern about a closed meeting, contact us at **1-800-263-1830** or **info@ombudsman.on.ca**.

We can provide general information on the open meeting requirements.

To make a complaint, complete a complaint form at www.ombudsman.on.ca or call **1-800-263-1830**.

Copies of this card, or the *Sunshine Law Handbook*, can be obtained by phone or email as above, or at the

**Office of the Ontario Ombudsman,
483 Bay Street, 10th Floor, South Tower,
Toronto, Ontario, M5G 2C9**