



J. Paul Dubé, Ombudsman

BY EMAIL

September 26, 2025

Council for the Township of Schreiber
204 Alberta Street, P.O. Box 40
Schreiber, ON P0T 2S0

Dear Members of Council for the Township of Schreiber:

Re: Closed meeting complaint

My Office received a complaint about a closed meeting held by council for the Township of Schreiber on March 25, 2025. The complaint alleged that council discussed a matter relating to the fire department *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 open meeting rules during its March 25, 2025 closed meeting.

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 the Township of Schreiber (the “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

¹ SO 2001, c 25.

483 Bay Street, 10th Floor, South Tower / 483, rue Bay, 10^e étage, Tour sud
Toronto, ON M5G 2C9

Tel./Tél. : 416-586-3300 Facsimile/Télécopieur : 416-586-3485 TTY/ATS : 1-866-411-4211

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decisions 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 materials from the open and closed sessions on March 25, 2025 including the agenda and minutes. We also spoke with the Clerk/CAO.

March 25, 2025 meeting

Council met in council chambers at 6:30 p.m. The Township publicly posted an agenda for the closed session which listed seven items for discussion, including the fire department matter. Council relied on the exception for personal matters in section 239(2)(b) of the Act to discuss the fire department matter.

Consistent with the minutes, my Office was told that council's discussions regarding the fire department were about the personal circumstances of several identifiable individuals and the conduct of employees of the Township.

After council completed its discussion of the last item on the closed meeting agenda, it reconvened in open session at 9:55 p.m. and adjourned the meeting shortly after at 9:56 p.m.

Analysis

The exception for personal matters in section 239(2)(b) of the Act applies to discussions that reveal personal information about an identifiable individual. To qualify as personal information, my Office has determined that it must be reasonable to expect that an individual could be identified if the information were disclosed publicly.² The Information and Privacy Commissioner has found that discussions in which an individual's conduct is scrutinized will generally be considered personal in nature.³ Although not binding on my Office, these decisions are informative.

In this case, council discussed the personal circumstances of several named individuals as part of the fire department matter. Council also scrutinized the conduct of named Township employees.

In a 2018 report to the Town of Amherstburg, I found that council's discussion fit within the exception because it was about identified individuals' conduct and allegations that they acted improperly, and council members expressed their opinions about the alleged improper conduct.⁴

Similarly, in the present case, council discussed and scrutinized the conduct of identifiable individuals while *in camera*.

I find that this discussion fit within the exception for personal matters.

Conclusion

My investigation has determined that council for the Township of Schreiber did not contravene the open meeting rules in the *Municipal Act, 2001* when it discussed the fire department matter in closed session on March 25, 2025. I would like to thank the Township for its co-operation during my review.

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

³ *Madawaska Valley (Township) (Re)*, 2010 CanLII 24619 (ON IPC), online: <<https://canlii.ca/t/29p2h>>.

⁴ *Amherstburg (Town of) (Re)*, 2018 ONOMBUD 8 at paras 32-33, 67, online: <<https://canlii.ca/t/hvmv1>>.

The Clerk/CAO 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', with a large, stylized initial 'P'.

Paul Dubé
Ombudsman of Ontario

CC: Rhonda Smith, Clerk/CAO, Township of Schreiber

Cette lettre est aussi disponible en français