

2025 – 2026

Annual Report



**Local Governance
Commission**
OF NEW BRUNSWICK

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Transmittal Letters

From the Minister to the Lieutenant-Governor

Her Honour the Honourable Louise Imbeault
Lieutenant-Governor of New Brunswick

May it please Your Honour:

It is my privilege to submit the Annual Report of the Local Governance Commission of New Brunswick for Fiscal Year 2025–2026.

Respectfully Submitted,



Hon. Aaron Kennedy
Minister of Local Government

From the Chair to the Minister Responsible

Hon. Aaron Kennedy
Minister of Local Government

Dear Minister:

I am pleased to present the Annual Report of the Local Governance Commission of New Brunswick for the Fiscal Year 2025–2026.

Respectfully submitted,



Giselle Goguen, B.A., LL.B
Chair, Local Governance Commission of New Brunswick



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The Commission remains a very young organization with a very small staff. Despite this, our hard-working team has demonstrated exceptional professionalism, dedication, and adaptability in responding to a growing workload of complex matters.

Message From the Chair

The Local Governance Commission of New Brunswick has continued to establish itself as an independent institution serving local governments across the province.

In our first year of operation, much of our effort was devoted to building the Commission itself: establishing procedures, developing policies, hiring staff, and creating the operational framework necessary to fulfill our mandate. In 2025–2026, we saw the results of that foundational work.

The Commission issued several decisions on alleged code of conduct by-law violations by elected officials and provided the Minister of Local Government with recommendations on annexation requests submitted by local governments. In all cases, the decisions and recommendations were published on the Commission's website in both official languages on the day they were issued.

The Commission is also committed to providing information on its own mandate and role as set out in the *Local Governance Commission Act*, and my staff and I regularly provide presentations to stakeholders across the province. This is in addition to answering the more than 200 inquiries that came into our office in 2025–2026.

What makes these outcomes particularly noteworthy is the context in which they occurred. The Commission remains a very young organization with a very small staff. Despite this, our hard-working team has demonstrated exceptional professionalism, dedication, and adaptability in responding to a growing workload of complex matters.

This annual report provides the Minister of Local Government with new recommendations aimed at strengthening the Department's ability to support local governments. It also provides a follow-up to last year's recommendation of mandatory training for local government leaders.

We have also provided details on the local government supervisions that took place in 2025–2026 as well as the Commission's first Strategic Plan, which reflects our commitment to accountability and transparency.

Building a new quasi-judicial institution from the ground up is no small undertaking. I continue to be proud of what the Commission has achieved in such a short period of time and grateful for the commitment of my fellow Commission members and our employees, whose expertise, dedication and hard work have made this progress possible.

As local governments continue to navigate change and growth across New Brunswick, we remain committed to carrying out the Commission's work independently, fairly, and thoughtfully in support of good local governance throughout the province.

Giselle Goguen, B.A., LL.B

Chair and Commissioner of Local Governance Affairs

Vision, Mission and Core Values

Vision

The Commission is dedicated to improving local governance through expert guidance and support. We aim to be a trusted and valued resource in addressing challenges in local governance in New Brunswick.

Mission

The Commission is an expert and independent source of information related to the *Local Governance Commission Act* and other related legislation, recommendations and rulings pertaining to local governance in New Brunswick.

Core Values

Our values guide everything we do, shaping our decisions, interactions and commitment to excellence.

- **Independence** – we remain objective, impartial, and grounded in evidence;
- **Integrity** – we act professionally, treating everyone with fairness, honesty and respect;
- **Transparency** – we communicate our decisions clearly and publicly, explaining the reasoning behind them;
- **Timeliness** – we work efficiently and respond promptly, recognizing the impact of our work on the public; and
- **Collaboration** – we value diverse perspectives and work as a cohesive team.



Mandate and Structure

The Local Governance Commission is a neutral arms-length expert body charged with ruling and making recommendations on matters affecting local governments, Regional Service Commissions (RSCs) and rural districts. We are also tasked with supporting and advising on matters relating to local governance, generally.

The Commission receives its authority from the *Local Governance Commission Act*.

Mandate:

- Providing support and assistance to local governments and RSCs;
- Providing advice and recommendations to the Minister of Local Government on any matter related to local governments, RSCs, and rural districts;
- Investigating and ruling on matters within the Local Governance Commission's jurisdiction; and
- Providing education, advice, and information on matters under the *Local Governance Commission Act* or any other Acts.

Role:

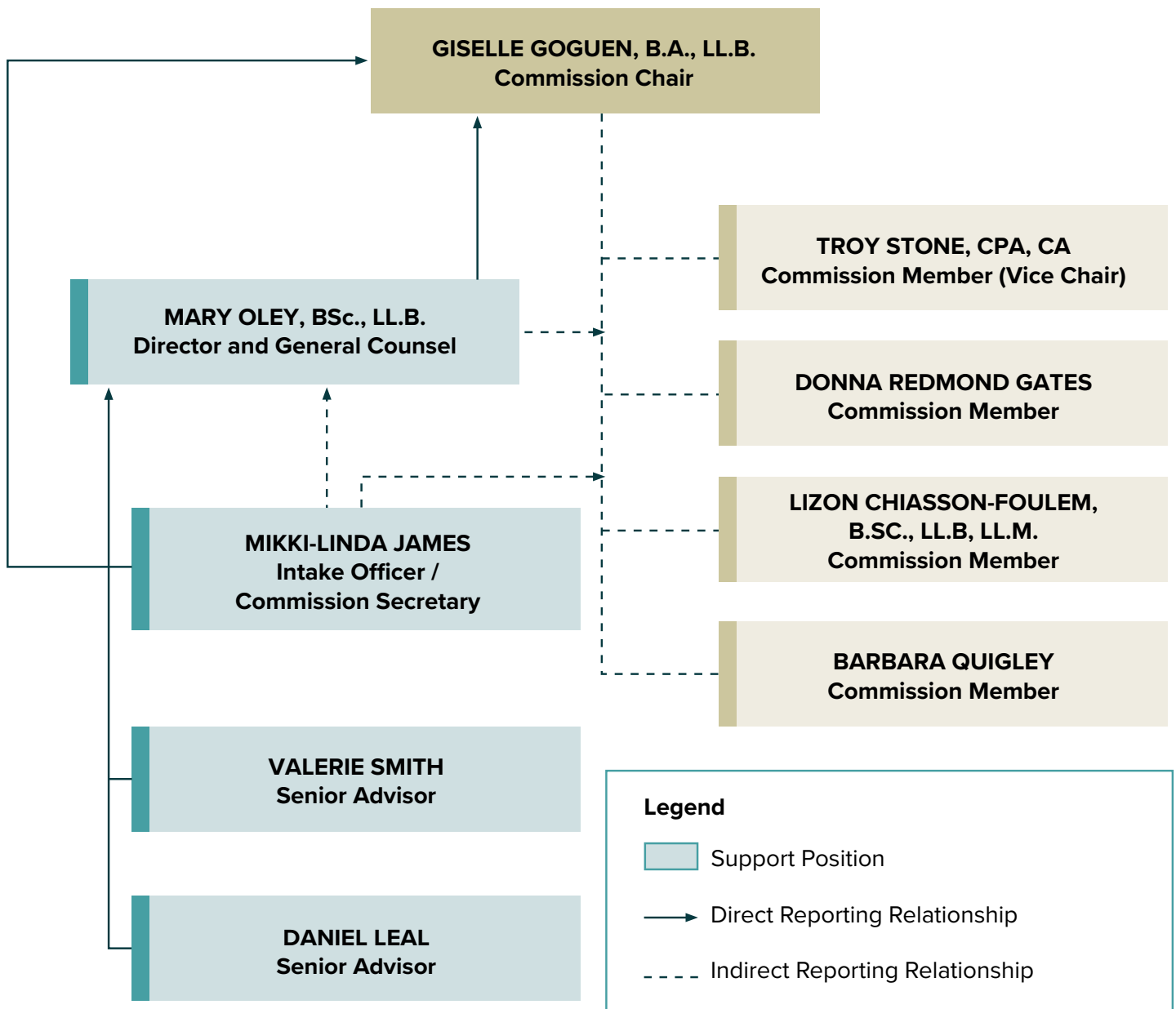
- Investigating and ruling on alleged code of conduct by-law violations and conflict of interest provision violations, and imposing sanctions where appropriate;
- Reviewing and making recommendations on local government restructuring requests (amalgamations, annexations and decreases in territorial limits of local governments);
- Reviewing and making recommendations on RSC boundary alteration requests;
- Reviewing and making recommendations on RSC cost sharing decisions relating to regional sport, recreational and cultural infrastructure;
- Reviewing and making recommendations on amending or repealing certain local government by-laws; and
- Appointing supervisors, inspectors, and auditors, as well as recommending the appointment of trustees;
- Examining any other topic requested by the Minister or Cabinet.

You can find a more detailed explanation of the Commission's role and mandate on our website:

www.lgcnb-cglnb.ca



Local Governance Commission Members And Employees



Recommendations to the Minister of Local Government

As an independent, arm's length expert body, the Commission believes it is important to provide the Minister of Local Government with recommendations for improving local governance. The following recommendations are rooted in our discussions with elected officials, employees and residents across the province who shared their concerns, as well as our own observations.

1. Reintroduce Code of Conduct By-Law Requirements Concerning Harassment, Bullying, Discrimination, and the Use of Social Media

In 2018, the provincial government set out, by Regulation¹, the matters to be included in a local government's code of conduct by-law, including: "the values to which members of council are expected to adhere;

- the behaviour by members of council toward other members of council, officers, employees and residents of the local government, including provisions **respecting bullying, discrimination and harassment** by members of council;
- the use of local government property, resources and services by members of council; and
- the use of communication tools and **social media** by members of council." [Emphasis added]

The specific requirement that code of conduct by-laws address harassment, bullying, discrimination, and the use of social media was removed in 2024, when a new version of the *Code of Conduct Regulation* was created.

This decision is difficult to understand considering ongoing discussions across Canada, including in New Brunswick, regarding the prevalence of harassment and intimidation experienced by both elected officials and municipal employees.

The Union of Municipalities of New Brunswick (UMNB) and l'Association francophone des municipalités du Nouveau-Brunswick (AFMNB) hosted a symposium on harassment and intimidation in November 2025 in Fredericton, which brought together approximately 100 participants, mostly mayors and councillors. The event, held in partnership with the Association of Municipal Administrators of New Brunswick (AMANB) and partially funded by the Department, included a presentation of survey results collected from members of UMNB and AFMNB. The results shared at the symposium were troubling: "Harassment of local elected officials has become normalized, with 64% of respondents noting they had experienced harassment in some form in the course of their role," the survey report's authors wrote.

For its part, AMANB conducted a mental health survey of its members in early 2025 which revealed that many municipal employees are harassed and bullied by residents as well as by mayors and councillors. "This difficult climate is exacerbated by a lack of support, few accountability mechanisms, and significant impacts on mental health," the association wrote in a release launching a series of training sessions (partially funded by the Department) "to equip our members to face these identified challenges."

A follow-up report commissioned by the New Brunswick municipal associations titled *Respect in Action – A Strategy to Address Harassment and Intimidation in Local Government* recommended that the Department broaden the code of conduct requirements to include harassment and discrimination.

1. Former *Code of Conduct Regulation – Local Governance Act*

2.

Provide local governments with timely legislative interpretation and information

The New Brunswick findings are echoed by the Canadian Association of Municipal Administrators (CAMA) in a comprehensive report published in November 2025, entitled *Building Civility and Trust in Local Government*. The report identifies a “growing systemic concern” arising from consistent patterns of incivility at the municipal level. It notes that “the decline of respectful debate, increased social media hostility, and blurred roles between Council and administration are affecting trust and effectiveness in some communities.”

CAMA researchers interviewed Chief Administrative Officers (CAOs) and elected officials across Canada and found unclear boundaries between council and staff are a leading source of tension, noting that “weak or inconsistent provincial oversight, the absence of mandatory training, and limited enforcement of Codes of Conduct leave municipalities vulnerable to dysfunction.”

Finally, the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO) recently surveyed its members and found that 85% of respondents experienced harassment from members of the public, and 66% experienced harassment from members of council.

The Commission’s observations align with both the provincial and national findings. Through our work, the Commission is aware of harassment directed toward elected officials and staff across the province. However, the Commission currently lacks the authority to receive or investigate unless a local government or RSC has specifically included these topics in their code of conduct by-law.

By reintroducing clear requirements for code of conduct by-laws to include harassment, bullying, intimidation, discrimination and the use of social media in the *Code of Conduct Regulations* under the *Local Governance Act* and the *Regional Service Delivery Act*, the Department would be assisting local governments and RSCs in ensuring that they have the tools they need to meaningfully address these issues at the local level. It would also allow the Commission to deal with these matters as part of its role in relation to code of conduct complaints. In addition, it would ensure consistency across the province.

The administration of the *Local Governance Act* (the LGA) and the *Regional Service Delivery Act* (the RSDA) as well as any related Regulations is the responsibility of the Department. Departmental employees are the subject matter experts on what these different pieces of legislation mean.

Despite this, it is not clear that local government leaders and others receive sufficient information from the Department allowing them to understand and meet their legislative obligations under the LGA, the RSDA, and their underlying Regulations.

In a media report from February 2026², describing the Town of Saint Andrews’s efforts to get clear guidance from the Department on code of conduct by-law requirements under the LGA, the Department provided the following statement “Local governments are independent levels of government that are responsible for the development and implementation of their own by-laws. It is their responsibility to determine the specifics of their process under their own by-laws.” In fact, local governments are established by and operate under provincial legislation.

The Department further contended in its statement to the reporter that if legislative interpretation is required, local governments must seek independent legal advice.

The difficulty in obtaining information from the Department is not limited to the Town of Saint Andrews. A recent report published by UMN and AFMN, *Respect in Action – A Strategy to Address Harassment and Intimidation in Local Government*, states “There continues to be a gap in terms of the amount of technical and professional support available to municipalities since the recent restructuring.”

Commission staff routinely hear from local government employees and elected officials who have been unable to obtain simple information from the Department on the LGA, the RSDA and underlying Regulations. As the Commission’s legislative mandate limits it to providing

2. “Saint Andrews council advocates for formalized code of conduct process,” Nathalie Sturgeon, *The Courier*, February 4, 2026.

information on its own Act (the *Local Governance Commission Act*), our 4 employees cannot step in for the Department to answer these questions on its behalf.

Legislative interpretation is not the same as legal advice

While it's clear that the Department's subject matter experts should not be offering legal advice or opinions, or assisting in the development of local by-laws, that does not stop them from answering questions about how their own legislation works. It is reasonable for local community leaders to expect the Department to help them understand their powers, roles and responsibilities under the legislation the Department administers. This situation is particularly hard on smaller communities that do not have lawyers on staff, as it leaves them with two options: 1) try to figure it out themselves as they juggle dozens of other priorities, or 2) pay a lawyer who may or may not have the relevant municipal law expertise. This hardly seems fair when the answer they need might easily be obtained (for free) during a phone call or email exchange with a Department employee.

In addition, local governance reform brought about many profound changes, with newly amalgamated areas experiencing the greatest challenges as they navigate a sweeping shift in responsibilities and expectations. Leaving them to their own devices instead of answering their questions ultimately punishes not only mayors, councillors and employees, but also the residents they serve.

Specialists within the Department should respond directly and promptly to questions from local governments and RSCs and provide basic legislative interpretation services, while clarifying it does not constitute legal advice. Local governments need a specific, no-cost source of support for matters related to the LGA, the RSDA and related regulations. As Department employees are the subject matter experts in these Acts, they are that source. Local leaders and employees should feel confident that when they contact the Department for legislative information or interpretation, they will receive the assistance they require.

3. Provide the Commission with the authority to impose the same sanctions available to local governments for code of conduct by-law violations and conflicts of interest

In its previous annual report, the Commission recommended that the Department amend the *Local Governance Commission Act* (the LGCA) to allow the imposition of training as a sanction when it decides that an elected official has violated a code of conduct by-law or acted in a conflict of interest. This recommendation reflected the view that training is an appropriate and beneficial sanction, particularly for smaller or newly amalgamated communities adapting to expanded responsibilities arising from local governance reform.

Since that time, the Commission has issued several decisions, and the need for an even broader range of sanctions has become increasingly evident.

The LGCA currently provides a very narrow range of sanctions to the Commission when it decides an elected official has breached their local government's code of conduct by-law. The Commission may, by order:

- issue a reprimand to the elected official;
- suspend the elected official for up to 90 days;
- order the elected official to forfeit any fees, gifts, gratuities, or other benefits, as well as any profit obtained through a violation; and /or order the elected official to reimburse an amount equal to any remuneration, allowances, or other sums received during the period of the violation.

The last type of sanction involving forfeiting and reimbursement is more relevant to conflicts of interest than code of conduct by-law violations. Therefore, the Commission is limited in most cases to ordering a reprimand, a suspension (or both) with no other options in between.

By comparison, subsection 6(1) of the *Local Governance Act's Code of Conduct Regulation* provides local governments with a broad range of options when

determining appropriate sanctions for local elected officials who have violated code of conduct by-laws. This added flexibility allows local governments to ensure that sanctions are proportionate. In addition to being able to issue a reprimand, local governments may also:

- require the elected official to issue a letter of apology;
- require the elected official to attend relevant training;
- require the elected official to receive counselling;
- reduce or suspend the elected official's compensation for the duration of a suspension; and
- reduce the member's privileges, including travel or the use of local government resources, services, or property.

Aligning our sanctioning authority with that of local governments would promote consistency and ensure greater predictability between the handling of complaints at the local level and by the Commission. It would also enable the Commission to better tailor sanctions to the circumstances of each case.

4. Engage local governments in a follow-up review of local governance reform

In 2025, the Commission appointed three supervisors in rural communities where councils lost quorum (see **Local Governments Under Supervision** section). All three of these local governments are newly formed rural communities consisting of several smaller communities that were amalgamated through the provincial government's local governance reform of 2023.

This is not a coincidence, in the Commission's view.

Local governance reform was a generational shift for local governments, especially for former local service districts as well as towns, villages and rural communities without the resources of cities and larger towns. While the Department consulted on reform during its development, local governments have been left largely to themselves when it comes to navigating the challenges that have inevitably followed.

While the number of supervisions is certainly an indicator of post-reform struggles, so is the high volume of inquiries the Commission receives from local government officials trying to access basic information outside the Commission's mandate. This is in addition to the number of media stories detailing problems local communities are having in adjusting to their new realities.

As these newly formed local governments have now undergone a general municipal election cycle, the time is right for the Department to meaningfully engage with the province's 77 local governments to understand their post-reform experience, both the achievements they now enjoy and the new problems they are facing. A comprehensive review of the impacts of local governance reform would provide the Department with guidance on what successes could be leveraged for the benefit of all, as well as the gaps that should be addressed for those local communities that are struggling.

5. Implement mandatory training for elected officials and senior staff

In its 2024–2025 annual report, the Commission recommended that the Department provide mandatory training for elected officials and senior staff.

UMNB and AFMNB voiced strong support for the recommendation, as did members of the Legislature's Public Accounts Committee during a presentation by the Commission Chair in October 2025. The mandatory training topics suggested by the Commission are:

- Code of conduct – including a section on incivility, harassment and bullying;
- Conflicts of interest;
- Roles and responsibilities of elected officials and staff;
- Financial matters and requirements; and
- *Right to Information and Protection of Privacy Act* requirements.

The Commission maintains that mandatory training in these key areas is the best and most efficient way for the Department to support local government councils and staff

by ensuring they have equal and consistent access to the tools, information and foundational knowledge necessary to help them serve their communities.

Mandatory training is also an obvious means of combating harassment and intimidation at the local level, as advocated by UMNb, AFMNB and others across the country (see Recommendation 2):

The Commission will continue to advocate for mandatory training as a critical component of strengthening local governance across New Brunswick. **As the need for training is an ongoing concern of local governments, and therefore not limited to the period immediately following a general election, we will repeat this recommendation until the Department implements it.**



Local Governments Under Supervision

In 2025, the Commission appointed supervisors in three local governments because the councils in these communities lost quorum due to vacancies resulting from councillor resignations.

All three of these local governments are newly amalgamated rural communities made up of several smaller communities brought together by the provincial government's 2023 local governance reform. In each case, the elected officials and small staff (only one to two permanent administrative employees) serving these new communities were suddenly expected to address the needs of thousands of residents when, in some cases, they had previously been responsible for serving only a few hundred residents in smaller geographical areas.

While the exact circumstances varied in each community, there were a few common themes leading to these councils losing quorum:

- Misunderstandings about roles and responsibilities between elected officials and staff;
- Interpersonal conflicts;
- An increasing number of code of conduct and conflict of interest complaints, as well as sudden influxes of large right to information requests; and
- Intimidation or harassment of both elected officials and staff.

When a council loses quorum, council (including any council committees) ceases to exist and the remaining elected officials can no longer act as mayors or councillors in any capacity.

The Commission always directs the supervisor to not make any long-term decisions that would bind a future council (for example, signing multi-year contracts, hiring permanent employees, or purchasing land or buildings).

Mandate of supervisors:

The Commission sets the scope of work for supervisors and directs their work.

Supervisors are required to have a highly specialized skill set and extensive experience to carry out the duties they are required to perform while acting in place of a local government council.

Such individuals are highly uncommon, and they are required to spend months involved in this type of complex, demanding and frequently high-profile work.

While the exact duties of a supervisor vary depending on the complexity of issues facing the specific local government, their scope of work is always determined by the Commission. In all cases, however, the supervisor is vested with and may exercise all powers of council and perform any or all duties that are the responsibility of council. This work is usually wide-ranging, demanding and multifaceted. It can include, for example:

- adopting and administering budgets;
- adopting annual audited financial statements;
- managing staff and contractors;
- dealing with inquiries from residents;
- ensuring compliance with legislative requirements;
- managing any existing municipal contracts; and
- attending Regional Service Commission and other meetings on behalf of the local government.

Cost of Supervisions³

All costs associated with the appointment of a supervisor are the responsibility of the local government, and the rate of pay for these expert individuals is commensurate with their level of experience and expertise. Therefore, the price for these services ranges between \$150 and \$200 per hour. Subject to the *Procurement Act* and its Regulations, the Commission sets a maximum amount in its contracts with supervisors.

The number of hours and days supervisors spend working depends on the complexity of the work they are required to perform. Every case has a different set of circumstances the supervisor must navigate.

2025 Supervisions

While municipal by-elections normally take place every 6 months in New Brunswick, provincial legislation does not allow by-elections within a year a general municipal election. For this reason, the 3 supervisors appointed in 2025 were required to remain in place for an extended period.

Long-term supervision contracts with the Commission include a maximum amount of \$133,000 plus HST and are adjusted for inflation.

The amounts below were provided by the Department of Environment and Local Government.

Strait Shores

Supervisor Greg Lutes appointed: April 29, 2025

The Chair issued an Order under the *Local Governance Commission Act* (LGCA) on May 25, 2026, to end Mr. Lutes' appointment following the May 11, 2026, general municipal election.

Supervisor	Cost of supervision		Total for Community
Greg Lutes	\$98,220.96 (adjusted for inflation)	\$13,538.88 (HST)	\$111,759.84

3. The costs associated with the work of supervisors are paid by the Department who then recoups the same amounts from the affected local governments.



Sunbury York-South

Supervisor Greg Lutes appointed:
September 29, 2025

(This was a short-term contract as Mr. Ferguson could not begin work until late October). The Chair issued an Order under the LGCA on October 27, 2025, to end Mr. Lutes' appointment.

Don Ferguson appointed:
October 27, 2025

The Chair issued an Order under the LGCA on May 25, 2026, to end Mr. Ferguson's appointment following the May 11, 2026, general municipal election.

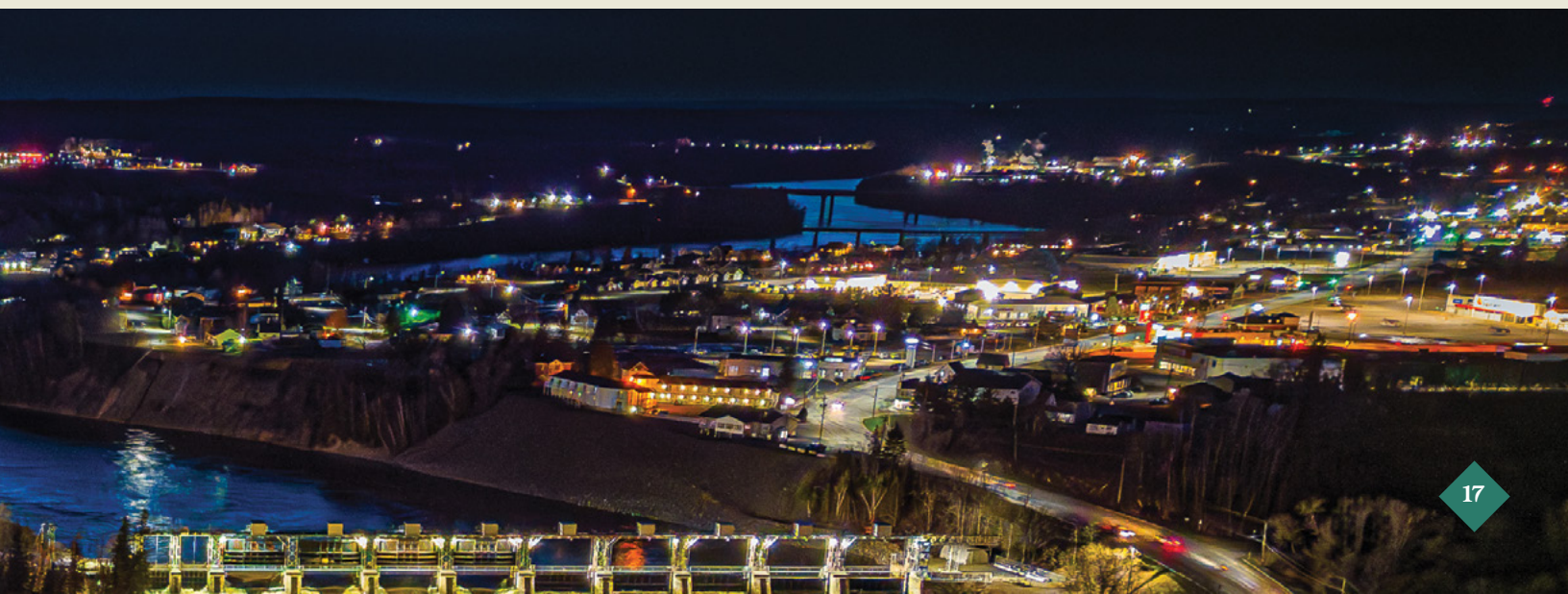
Supervisor	Cost of supervision		Total for Community
Greg Lutes	\$9,880.00	\$1,383.20 (HST)	\$11,263.20
Don Ferguson	\$133,546.44 (adjusted for inflation)	\$19,797.07 (HST)	\$153,343.51
		Grand Total	\$164,606.71

Miramichi River Valley

Supervisor Brenda Knight appointed: November 6, 2025

The Chair issued an Order under the *Local Governance Commission Act* on May 26, 2026, to end Ms. Knight's appointment following the May 11, 2026, general municipal election.

Supervisor	Cost of supervision		Total for Community
Brenda Knight	\$97,611.93 (adjusted for inflation)	\$14,641.23 (HST)	\$112,253.16



Follow-Up On Mandatory Training Recommendation

The Commission's 2024–2025 annual report recommended the Department provide mandatory post-election training to elected officials and senior staff. The Union of Municipalities of New Brunswick (UMNB) and l'Association francophone des municipalités du Nouveau-Brunswick (AFMNB) strongly supported the recommendation as they had spent years asking the Department to provide mandatory training for their members.

In the weeks and months following the release of its annual report, the Commission heard from many mayors, councillors, municipal employees and residents who also supported the recommendation for mandatory training and expressed hope that the Department would act on it.

The Minister's response

In a January 8, 2026, letter to the Chair responding to each of the Commission's recommendations, the Minister of Local Government wrote that the Department would not be implementing mandatory training and would instead offer optional orientation training following the general election on May 11, 2026. The Minister further explained that the Department would be focusing its efforts in the months prior to the general municipal election "to address the barriers which may have prevented elected officials from engaging with the training offered in partnership with municipal associations."

The Department's own research (cited in a media report⁴ on its refusal to adopt the recommendation), demonstrated that New Brunswick is the only Atlantic province without mandatory post-election training, and one of only four holdout provinces across Canada.

The time since the Commission's recommendation has provided further evidence of the value of mandatory training for elected officials and senior staff as they

continue to navigate the challenges arising from local governance reform.

- The Commission continues to hear regularly from local leaders who are experiencing challenges and who are seeking accurate information and timely support to help them navigate legislative responsibilities and provide the best services possible to residents.
- The supervisors appointed by the Chair in Strait Shores, Sunbury-York South and Miramichi River Valley all reported to the Commission that mandatory training for all elected officials and their small administrative staff would have helped these communities avoid many of the issues that led to the resignations resulting in loss of quorum. (For more on local government supervisions, see **Local Governments Under Supervision** section).
- In a report on harassment and intimidation in local government (partially funded by the Department), the province's municipal associations recommended mandatory training to help deal with increasing levels of harassment and intimidation. (See the **Recommendations** section).

Local government leaders deserve the tools, resources, and support necessary to help them accomplish their goals.

The Department's optional orientation program

In a March 2026 memorandum to local governments, rural districts, regional service commissions and the municipal associations, the Department announced an optional in-person post-election orientation program for "all council members as well as any administrative staff who wish to attend," on June 12 and 13 in Saint John. There would be no opportunity for people to attend virtually.

4. "Province decides against mandatory training for municipal councillors," Sam Farley, CBC New Brunswick, February 13, 2026.

The Department's choice to reject a province wide mandatory training program in favour of a single optional session in Saint John — without a virtual alternative — stands in stark contrast to the Minister's earlier assertion that his staff would work to reduce the barriers that had previously prevented people from attending training.

Indeed, the Department's approach does not demonstrate an intention to provide all local government leaders with equal and consistent access to the information they need. While some local governments may have easily absorbed the costs of sending their mayor, their entire council and senior employees to Saint John for a few days, participation for others would have required some tough choices.

Every local government must make decisions about how it spends its limited money. When essential training

is offered in only one location with no virtual option, attendance depends not just on interest but on a community's ability to cover travel costs and free up staff time. It also requires council members to step away from other responsibilities, including their day jobs.

And while some local government councils opted to skip the Saint John program and offer their own training locally, there was no way to ensure that all local leaders across the province had access to the same information.

A mandatory program delivered by the Department in accessible formats and multiple locations to all elected officials and senior staff would have ensured that every local government leader had access to the same foundational knowledge and opportunities to learn.



Education and Outreach

While the Department remains responsible for training and education on the *Local Governance Act* and the *Regional Service Delivery Act*, the Commission is committed to providing information on its own mandate and role as set out in the *Local Governance Commission Act*. The Chair and staff regularly provide presentations to interested local governments, Regional Service Commissions (RSCs), municipal associations, and others. This is in addition to providing easy-to-navigate information on the Commission's website and answering the more than 200 inquiries that came into the Commission's office in 2025–2026.

Notable presentations in 2025 include the Chair's appearance before the Legislative Assembly's Public Accounts Committee on October 1, 2025, as well as training delivered by the Director and General Counsel and Senior Advisors to local government administrators participating in the Working Effectively with Council program at Université de Moncton.

The Commission also provided an Advisory to local governments (distributed via the municipal associations and RSCs and made available on our website) drawing their attention to the rules around closed meetings of council as they relate to discussing and deciding code of conduct and conflict of interest complaints.

As the issue of closed meetings falls under the LGA, Commission staff sent correspondence to the Department in the summer of 2025 requesting that they consider providing a memo or advisory addressing the issue. The Department did not respond. Therefore, the Commission took the extraordinary step of issuing its own Advisory containing factual, objective information on the legislative criteria for closed meetings.

In the weeks and months following the issuance of the Advisory, many local governments updated their code of conduct by-laws to ensure legislative compliance. Commission staff also met with and answered questions about the Advisory from local government officials and staff.



Operational Budget and Overview

The Commission's Overall budget: \$802,812

General Inquiries to Commission (unrelated to specific files):

Emails	Calls	Media Requests	Right to Information and Protection of Privacy Act Requests
79	95	29	3

TOTAL: 206

Recommendation Requests

Resulted in the Commission making restructuring recommendations to the Minister	Did not meet legislative requirements and/or outside the Commission's mandate	Active requests at the end of the fiscal year
3	8	2

TOTAL: 13

Complaints

Conflict of Interest		Code of Conduct	
12		33	
TOTAL: 45			
Resulting in Commission decisions	Dismissed by the Chair (no grounds or insufficient grounds)	Outside the Commission's mandate	Under review at the end of the fiscal year
3	11	22	9

Handling of complaints and requests

The *Local Governance Commission Act* (LGCA) establishes that the Commission is both an administrative tribunal and a recommendation body.

The Commission as an Administrative Tribunal

The Commission may receive, review, process and decide two types of complaints:

- **Code of conduct complaints** may only be filed against sitting elected officials (current mayors and councillors) of local governments and Regional Service Commissions (RSCs)
- **Conflict of interest complaints** may only be filed against sitting elected officials and current senior staff of local governments and RSCs.

These two types of complaints may only be received by the Commission in three circumstances:

1. Where a complaint has first been submitted to the applicable local government or RSC. In such cases, the complaint must be received, processed, investigated (often, but not necessarily, by an independent third-party investigator), a decision must have been made by council, and one or both of the parties is dissatisfied with the outcome;
2. Where a complaint has been filed first with the applicable local government or RSC, but it is against so many councillors or board members that they do not have quorum to process and render a decision on the complaint; or
3. Where a local government or RSC outright refuses to accept a complaint.

All code of complaints and conflict of interest complaints must first be filed with the applicable local government

or RSC as outlined in subsection 42(1) and section 44, respectively, of the LGCA.⁵

Pursuant to subsection 10(2)(b) of the *Local Governance Act* (LGA), all local governments must have a code of conduct by-law, the mandatory content of which is set out in the *Code of Conduct Regulation – Local Governance Act* (the Regulation). The Regulation sets out the required process for receiving, processing, investigating and deciding complaints at the local level. Under the *Regional Service Delivery Act* (RSDA), RSCs may enact code of conduct by-laws, which must comply with the requirements set out in the *Code of Conduct Regulation – Regional Service Delivery Act*.

Intake Process

When the Commission receives a code of conduct or conflict of interest complaint, the Commission's intake officer does the following:

- Determines whether the complaint falls within the Commission's mandate and whether the complaint has already been submitted to the applicable local government or RSC.
- Advises complainants in writing if their complaint is outside the Commission's mandate and authority.
- If the Commission accepts the complaint, provides a copy of it and any documents provided by the complainant to the respondent, who then has two weeks to respond.
- Provides the response and any associated documents to the complainant, who has a further two weeks to respond.

5. "42(1) If a matter respecting an alleged breach of a provision of a code of conduct cannot be resolved under the *Local Governance Act* or the *Regional Service Delivery Act*, a person may request in writing that the Commission investigate the alleged breach.

44 If a matter respecting an alleged conflict of interest cannot be resolved under the *Local Governance Act* or the *Regional Service Delivery Act*, a person may request in writing that the Commission investigate the alleged conflict of interest."



Handling of Complaints

- The Director and General Counsel assigns the complaint to one of the Commission's two Senior Advisors and assists them in determining whether the complaint will proceed to an investigation and consideration by the Commission members.
- In some cases, staff prepare a report for the Chair recommending that a complaint be dismissed because it is frivolous, vexatious or not made in good faith, or because there are no grounds or insufficient grounds for an investigation. All complaints dismissed by the Chair are done so by way of a letter that sets out the reasons for the Chair's decision.
- Where complaints proceed to investigations, Senior Advisors typically conduct interviews with witnesses and the parties and collect any necessary documentation. At the conclusion of the investigation, a recommendation report is prepared by Commission staff and presented to the Commission members by the Director and General Counsel.
- The Commission is an administrative tribunal. As such, Commission members ask the Director and General Counsel questions, deliberate and render decisions on whether code of conduct by-laws or conflict of interest provisions have been violated. In such cases, they also determine and impose sanctions

by way of Orders. These decisions have the force of law and the sanctions must be complied with.

- The Commission's decisions are then posted on the Commission's website in both official languages.

The Commission as a Recommendation Body

The role of the Commission with respect to restructuring requests (incorporations, amalgamations, annexations and decreases in territorial limits) is to follow a process set out in the *Local Governance Commission Act* and underlying Regulations, and to make recommendations to the Minister of Local Government. The Minister then decides whether to accept the Commission's recommendation.

The Commission may only accept a restructuring request from one or more local government councils, the Minister, or a group of 25+ residents of a rural district who live within the proposed boundary and are qualified to vote in a rural district advisory committee election. The Commission cannot accept restructuring requests from any other member(s) of the public.

The first step in a restructuring request is for a proponent to submit a proposal to the Commission. The proposal requirements are set out in the LGCA.

Once the Commission receives the proposal, staff will review it to determine whether the proposal meets the legislative requirements. If it does, the Commission will notify:

- the Minister;
- all affected local governments;
- the applicable Regional Service Commission (RSC); and
- any other entities affected by the proposal.

Following public engagement and consultation, the proponent must prepare a report to the Commission, the contents of which are set out in the *General Regulation* under the LGCA.

Commission staff will then determine whether the report is complete and, if so, the Commission will:

- post the report on its website for at least 30 days for public review and feedback;
- provide notice of the report in the Royal Gazette;

- provide notice to all affected local governments, the Minister, and the applicable RSC; and
- accept feedback on the report for up to 10 days, once the 30-day period has elapsed.

(Once all the above steps have been completed, the Commission may still request additional information.)

The Commission then has 45 days to review the report before making a recommendation to the Minister. (In practical terms, Commission staff present a report to the Commission members, who review it and decide whether to recommend the Minister approve or deny the restructuring request).

The Commission members' recommendation is sent to the Minister, who will ultimately determine whether to proceed.

To view the Commission's decisions and recommendations, please go to the Rulings, Recommendations and Appointments tab on the Commission's website.



Strategic Plan 2025–2028

The Commission feels strongly that creating and sharing our strategic priorities for the next few years – a time during which the Commission’s decisions and recommendations will form a roadmap for local officials and local government staff across the province – is a key part of our commitment to being a trusted resource for local governments in New Brunswick.

As an independent body dedicated to improving local governance, the Commission puts transparency and integrity at the heart of our work.

The Commission has developed four strategic pillars to inform our work over the life of the 3-year plan. Each pillar has a related goal and objectives for each of the plan’s 3 years. The Commission’s annual report is an opportunity to provide updates on our progress.

Pillar I

ESTABLISHING AND IMPLEMENTING AN EDUCATION STRATEGY

One of the Objectives and Purposes of the Commission, as set out in section 4 of the *Local Governance Commission Act* (LGCA), is to provide education related to the LGCA. The Department of Local Government remains responsible for training and education on other legislation, such as the *Local Governance Act* and the *Regional Service Delivery Act*.

Our website is an important educational tool and contains a lot of helpful information, including process maps which provide a clear explanation of how many of the Commission’s processes work.

In addition, the Chair has made presentations to all three local government associations in the province, and the Director and General Counsel has met with other interested organizations to provide information on the Commission’s role and mandate. The Director and General Counsel has also provided an information session on the Commission’s role and processes for the staff at the Department.

GOAL

By March 31, 2028, the Commission will have established service standards for the Commission’s programs and services.

YEAR 1 OBJECTIVE

By March 31, 2026, both prior to and following the 2026 general municipal elections, the Commission will have an education schedule in place for interested local governments, rural districts, and regional service commissions that desire such training.

PROGRESS ON OBJECTIVE

A

The Commission will have identified an employee to coordinate the implementation of an annual education plan.

The Director and General Counsel is responsible, with assistance from the Commission's Senior Advisors, as required.

B

The Commission will have scheduled bi-annual education opportunities, both virtual and in-person, for local governments, rural districts, and regional service commissions.

As a general municipal election took place in May 2026 and ushered in a wave of newly elected officials, the Commission has opted for one education opportunity in 2026, which will be offered to all 12 Regional Service Commissions in the province beginning in the fall. We also offered to provide training on our role and mandate as part of orientation offerings provided by the municipal associations and the Department (see Indicator d, below).

C

The Commission will have developed presentations and other materials on the Commission's mandate and role.

We developed and delivered several presentations focusing on both the general mandate of the Commission as well as specific topics within its purview.

Among the many presentations delivered in 2025 are the Chair's presentation to the Legislative Assembly's Public Accounts Committee on October 1, 2025, and training provided by the Director and General Counsel and Senior Advisors to local government administrators enrolled in Working Effectively with Council at Université de Moncton.

D

While the Department is solely responsible for providing information on the legislation it governs, the Commission will have provided training on topics within its mandate such as conflict of interest and code of conduct matters within any pre- or post-general election training or education provided by the Department of Environment and Local Government and the three (3) municipal associations, should they request it.

We provided information on its role and mandate to the Association of Municipal Administrators of New Brunswick for materials they prepared for the pre-election training provided to their members leading up to the 2026 general municipal election.

In addition to the sessions offered to the RSCs (see section B above), the Commission also communicated to the Department its willingness to provide information on its role and mandate within the context of Department-sponsored training for local governments. The Commission offered to provide a similar presentation to members of all three municipal associations.

OUTCOME

YEAR 1 OBJECTIVE ACHIEVED

Pillar II

ESTABLISHING SERVICE STANDARDS

To ensure that the Commission is providing the highest possible level of service, it is important to continuously monitor, evaluate and, when needed, improve our programs and services. We will therefore be establishing service standards for the services we provide most frequently. Service standards are public commitments to measurable levels of service that people can reasonably expect from a public body.

As the Commission was established in 2024 and only reached its full staff complement in late 2025, we are still building operational experience and data to set meaningful and reliable service benchmarks. Establishing service standards requires sufficient volume and variety of files to ensure that timelines are realistic, evidence-based, and reflect the complexity of our work.

Once the Commission has sufficient data to establish service standards, these will be made publicly available on the Commission's website.

GOAL	YEAR 1 OBJECTIVE
By March 31, 2028, the Commission will have established service standards for the Commission's programs and services.	By March 31, 2026, the Commission will have collected and analyzed data on the time it takes to complete files (start to finish) for services provided under the Commission's mandate.
PROGRESS ON OBJECTIVE	
A	We implemented a case management system that includes the ability to track files, including progress at every stage of the process.
B	We are now able to easily acquire ongoing analytics from the case management system on the time required to complete files related to services under the Commission's mandate as they come in.
OUTCOME	YEAR 1 OBJECTIVE ACHIEVED

Pillar III

GOVERNANCE

The Commission consists of an operational arm and governance body made up of the Chair and four other commission members.

As a governance body, the Commission has two roles: an administrative tribunal that renders decisions and imposes sanctions by way of Orders, and a recommendation body that makes recommendations to the Minister of Local Government.

Following the establishment of the Commission in 2024, Commission members adopted governance policies covering a wide array of matters. They adopted a Board Charter, a Code of Conduct and other policies. The commission members also adopted a Commission Evaluation Policy that requires commission members to annually evaluate their own performance, effectiveness, leadership, and governance practices.

GOAL	YEAR 1 OBJECTIVE
By March 31, 2028, the Commission will have a well-established governance culture of continuous improvement through the consistent application and review of its governance policies, implementation of its annual Commission Evaluation Tool and reviewing and incorporating necessary changes in decision-making following judicial review of Commission decisions.	By March 31, 2026, the Commission will have implemented the annual Commission Evaluation Tool.

PROGRESS ON OBJECTIVE

A	The evaluation tool has been in place and operational since November 2025.
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OUTCOME	YEAR 1 OBJECTIVE ACHIEVED
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Pillar IV PEOPLE

The Commission has a small team of dedicated subject matter experts and administrative support. As such, it is vital to maintain a positive workplace culture that encourages and supports employees to complete training and education opportunities benefiting the Commission’s work while fostering their professional development.

GOAL	YEAR 1 OBJECTIVE
By March 31, 2028, Commission staff will have received training in investigative techniques and alternative dispute resolution skills. Staff will have also been offered the opportunity to attend various conferences that cover topics central to the Commission’s work. Through these endeavours, staff will also feel supported and empowered in carrying out their day-to-day work.	By March 31, 2026, the Commission will have provided investigation and mediation training to the two senior advisors.

PROGRESS ON OBJECTIVE

A	The Director and General Counsel provided focused investigation training to both senior advisors in October 2024 and continues to provide one-on-one coaching when they have questions or need support.
B	The Director and General Counsel provided mediation training to both senior advisors in December 2025 and provides one-on-one coaching when they have questions or need support.
C	The Director and General Counsel and the Intake Officer/Secretary to the Commission attended the annual Governance Professionals of Canada (GPC) annual conference in August 2025.

OUTCOME	YEAR 1 OBJECTIVE ACHIEVED
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**Local Governance
Commission**
OF NEW BRUNSWICK