



Policy

POL.COR.19.02 Council Staff Relationship Protocol Policy

Policy Type:	Corporate Policy (Approved by Council)
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Department:	Administration
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Policy Statement

Positive relationships between Council and Staff are essential to the provision of public service excellence and effective governance in the Town of The Blue Mountains (Town). Successful relationships involve mutual understanding of roles and responsibilities, two-way communication, clarity in reporting relationships and direction from Council to Staff through the CAO. These principles can be achieved when high standards of conduct form the basis of all Council and Staff interaction.

Purpose

Town Staff serve Council as a whole in order to deliver quality public services and programs and effective management of Town resources in a way that serves the greater good of all citizens. This Protocol offers guidance on Council-Staff relationship issues which may arise, and will serve as a guide to dealing with circumstances as they may arise from time to time, and should ensure that Council Members receive objective and impartial advice and professional support from Town Staff. This Protocol should be used and applied in conjunction with other guiding Town documents listed at the end of this Protocol.

Application

The guiding [principalsprinciples](#) contained in this policy shall apply to all Town Staff and Council Members of Town of The Blue Mountains.

Definitions

[Act: means the *Municipal Act, 2001, S.O. 2001, c.25, as amended or replaced from time to time.*](#)

[Committee Chair or Chair means the Chairperson of any Committee, or the Chair of a portion of Committee of the Whole meetings.](#)

Chief Administrative Officer: the head of Town Staff, as the only employee of Council, manages the day-to-day work of Town Staff as directed by Town Council.

Council Members: shall mean the members elected as the legislative body of the Town of The Blue Mountains Council. Council ~~M~~members are not employees.

Mayor: the ~~H~~Head of Council and the Chief Executive Officer of the Town.

Mayoral Decision: means a decision issued by the Mayor in writing as prescribed in the Act.

Mayoral Direction: means a direction given by the Mayor to staff in writing as prescribed in the Act.

Staff: shall mean full-time, part-time, contract workers and volunteers of the Town.

Town: shall mean The Corporation of the Town of The Blue Mountains.

Procedures

Roles and Accountabilities: The role of Council is to govern. The role of Staff is to advise, implement and manage public service delivery. Council and Staff work in partnership with one another, while performing their respective roles. Although the roles of Council and Staff are distinct, they are interdependent, each one requiring the other to fulfill the Town's mandate and purpose.

Joint Role of Council Members and Staff

- Demonstrate commitment to accountability and transparency among Council and Staff and with the general public;
- Demonstrate leadership by making sound decisions based on knowledge, expert advice and sound judgment;
- Maintain confidentiality in all matters where information is protected under law and/or during the course of business, as prescribed in the *Municipal Act*;
- Truly, faithfully and impartially exercise their role to the best of their knowledge and ability;
- Enhance public understanding of the political process by providing information about decision making processes;
- Uphold decisions of Council as a whole, regardless of personal opinion or belief, and commit to the implementation of those decisions;
- Refrain from disparaging criticism of Council Members or Staff; and
- Seek to achieve and maintain an environment of mutual respect and trust, with respect and acknowledgement of the different roles in achieving Council's objectives.
- Seek to be innovative and creative in the development and delivery of cost-effective municipal services.

Role of Council Members (Mayor and Councillors):

- ~~The role of Council as a whole as expressed collectively through is three-fold:~~
 - ~~Representative role – to represent constituents in dealing with issues before Council, keeping the greater good of all constituents in mind~~

- ~~Policy role — to make policy and establish general principles to guide future actions and decisions~~

In accordance with Section 224 of the Municipal Act, it is the role of council is:

- a) to represent the public and to consider the well-being and interests of the municipality;
- b) to develop and evaluate the policies and programs of the municipality;
- c) to determine which services the municipality provides;
- d) to ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of council;
- e) to ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality;
- f) to maintain the financial integrity of the municipality; and
- g) to carry out the duties of council under this or any other Act.

In accordance with Section 225 of the Municipal Act, it is the role of the head of council is:

- a) to act as chief executive officer of the municipality;
- b) to preside over council meetings so that its business can be carried out efficiently and effectively;
- c) to provide leadership to the council;
- d) without limiting clause (c), to provide information and recommendations to the council with respect to the role of council described in clauses 224 (d) and
- e) to represent the municipality at official functions; and
- f) to carry out the duties of the head of council under this or any other Act.

- ~~Stewardship role — to be stewards of municipal resources, and to ensure financial and administrative resources are being used efficiently, consistent with established policy, legislation and the objectives of Council.~~

Council Responsibilities

- Councillor requests for information or services that are readily available to the public shall be provided to Council Members in the same manner as it is provided to the public.
- Councillor requests for new information or service, requiring a commitment of resources (e.g., investigation, administrative support, analysis, expenditures) beyond the normal course of public service delivery levels shall only be provided after being authorized by the whole of Council through a resolution.
- Councillor requests for Staff participation and attendance at Councillor-organized community events or meetings shall be in keeping with existing procedures and service levels and shall ensure that the Chief Administrative Officer is aware of and in agreement with the community meeting logistics, purpose and outcomes.
- Councillor direction or requests to Staff to undertake an action, expend funds, commit resources beyond the normal course of public service delivery levels, or prepare a Staff

report to Council or a committee, shall only be acted upon by Staff when authorized by the whole of Council through a resolution.

- The Mayor, an individual Councillor or informal groups of Councillors cannot make a decision on behalf of the Council unless authorized by Council or statute.
- Council Members should, to the extent possible:
 - discuss issues with Staff and advise Staff of questions prior to public meetings where the issue will be heard;
 - request advice from the Town Clerk about the appropriate wording of motions, amendments and formal Staff directions in accordance with the Procedural By-law.
 - request advice from the Chief Administrative Officer as to whether an action is required to be authorized by the whole of Council or considered within the scope of normal business.
- The Mayor may only direct employees in specific instances for the purposes of exercising powers or performing duties under Part VI.1 of the Municipal Act through a Mayoral Decision or Mayoral Direction. Otherwise, all direction to Staff related to any other matters must continue to be exercised by Council as a whole. It is expected that the Mayor when making a Mayoral Decision or Mayoral Direction will have regard to the policies and decisions of Council, and the apolitical role of the Chief Administrative Officer and sStaff, and will weigh the application of those policies, decisions and roles when so doing.
- The role of the Chair is to chair either a Council or Committee of the Whole or Committee Meeting as the presiding officer. The Chair does not serve in a managerial or policy role with respect to the section of the Committee of the Whole meeting they preside. As outlined in the Town's Procedural By-law, the Chair must ensure meetings are conducted in an orderly fashion in accordance with the Procedure By-law including:
 - enforcing rules and decorum during meetings;
 - accepting and putting to a vote motions as presented by nMembers;
 - deciding and ruling on points of order and points of privilege;

Role of Town Staff:

~~As provided in the Act.~~ In accordance with Section 227 of the *Municipal Act* ~~the~~ the role of Town Staff is to conduct research, provide advice, support and recommendations to Council and establish administrative practices and procedures to carry out Council's decisions. collectively and to Council Members individually, and to implement Council decisions in keeping with legislation, Town policy and procedures.

Staff Responsibilities

- Staff responses to a Councillor on specific issues (e.g., complaints, questions, requests) will be provided to all Councillors for consistency.
- Staff responses to a Councillor on Town or Corporate issues will be provided to all Council Members for consistency.

- Staff responses to requests from Council Members for readily available public information shall be provided within 2 business days whenever possible.
- Staff shall respect that Council Member's time is valuable. Reports and presentations to Council should be concise to the extent possible, while still ensuring all necessary information is communicated to Council.
- Staff shall be professional, apolitical and courteous to Members, in accordance with the Municipality's Employee Code of Conduct.

Respectful Reporting Relationship

The formal relationship between Council Members and Staff must be respected to ensure equal treatment. For significant or sensitive issues, Council Members and Staff are encouraged to primarily direct questions and concerns to the Mayor and/or CAO for their consideration. Any request for information from a Council Member that is not received and answered at a Committee or Council meeting is to be circulated and responded to in writing and copied to all Council Members.

Respect for Time Priorities

Timelines must be respected by all Council Members and Staff. Members and Staff shall set reasonable expectations of each other, including providing reasonable timelines to accomplish tasks. It is expected that all participants will be well prepared for meetings and will prioritize appropriately, according to direction given by management or Council. Staff will spend time on significant projects only once direction is given by Council to do so. Appointments will be made for meetings between Staff and Council Members in order to ensure that all parties are available and prepared for the discussion. Council members are encouraged to make these requests with sufficient advance notice and with sufficient background information to inform the meeting.

Expectations of Information Flow Outside of Regular Business Hours

As set out in the Disconnecting from Work Policy, it will not be expected that responses will be sent, or actions taken by Staff outside of regular administrative business hours, with the exception of emergencies as defined by the Emergency Response Plan for the Town.

Input and Direction from Council Members

Council Members are required under the *Municipal Act* to represent the public and to consider the well-being and interests of the municipality as a whole.

The chart below provides an outline of Staff actions to be taken in response to Councillor input and Council direction.

Council Input	Staff Requirement to Report Back	Staff Requirement to Take Action
An individual member of Council provides input on administrative/operational matters (e.g. informally or during a meeting)	No	At Staff’s discretion or at the direction of the CAO.
<u>A Chair provides input on administrative/operational matters (e.g. informally or during a meeting)</u>	<u>No</u>	<u>At Staff’s discretion or at the direction of the CAO.</u>
A Committee or Council gives direction to Staff through the CAO regarding an administrative/operational matter through a <u>Council</u> resolution	Yes	Yes
A Committee or Council approves a Staff recommendation	As directed by Council/CAO	Yes

While a report in writing back to Council may not be required, it is often in the interest of relationship building and/or accountability to do so, either informally (i.e. email) or formally, as each circumstance dictates.

Exclusions

There are no exclusions to this protocol except as required by law or for matters that are restricted to Closed Meetings as per the *Municipal Act*.

References and Related Policies

This Protocol shall be read and applied in conjunction with the following [Corporate](#) documents, as updated from time to time:

~~[POL.COR.07.07](#)~~ [POL.COR.21.06 Code of Conduct for Members of Council and Local Boards and Advisory Committees](#)

~~[POL.COR.18.04 Protocol Policy for Complaints Related to Council Members and Local Boards](#)~~

~~[POL.COR.18.08 Workplace Violence and Harassment](#)~~

[POL.COR.24.02 Respectful Workplace Policy](#)

[POL.COR.25.02 Employee Code of Conduct](#)

~~202318-620~~ [Procedural By-law](#)

POL.COR.18.01 Use of Corporate Resources for Election

[POL.COR.22.06 Disconnecting from Work Policy](#)

Consequences of Non-Compliance

In the interest of strengthening Staff and Council relationships both Staff and Council are encouraged to consider informal discussions and/or mediation prior to the submittal of a formal complaint. The following policies will be referenced for all complaints:

1. ~~Protocol Policy for Complaints Related to Council Members and Local Boards~~
2. Code of Conduct for Council Members of Council, and Local Boards and Advisory Committees
- ~~3. Employee Code of Conduct~~
- ~~3. Workplace Violence and Harassment~~
4. Respectful Workplace Policy

Review Cycle

This policy will be reviewed once per term of Council or as required due to legislative change.