



Expertise for Municipalities

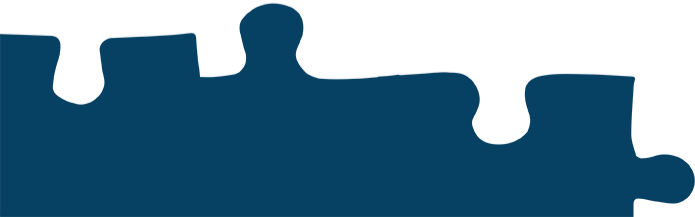
BLR Council & Staff Relationship

Overview.....

- Role of Council
 - Representative Role
 - Policy Making Role
 - Stewardship role
- Role of the Mayor
 - As CEO
- Role of Officers & Employees
 - Operations
- Role of the CAO
 - Overall Administrative Operations

Overview.....

- Governance vs Management
 - Council Staff Relationship
 - Procedure Bylaw
 - Expected Behaviour Bylaw
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- Workplace Culture Audit/Go Forward Strategy
 - Purpose
 - Process
 - Expected Outcomes



Role of Council

- Representative
- Policy Making
- Stewardship



Section 224 of the *Municipal Act*

224. It is the role of council,

- 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;
 - d.1) to ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality;
- e. to maintain the financial integrity of the municipality; and
- f. to carry out the duties of council under this or any other Act.

Representative Role.....

The Ontario Government provides that:

- Councillors are elected by their constituents to represent their views when dealing with issues that come before Council.
[This means that at the Council table you represent the people and not your private interests]
- The key challenge is that the constituents may have many views and opinions and that Councillors cannot represent all of them all of the time

Policy Making.....

The Ontario Government provides that:

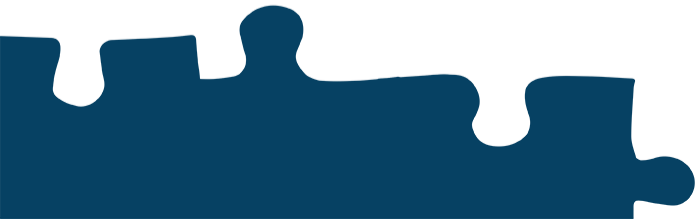
- Many council decisions are routine, dealing with the ongoing administration of the municipality, but others establish the principles and direction that may determine the municipality's future actions. These are often considered to be policy decisions. Some policies can be specific, such as a by-law requiring dogs to be kept on leashes in public areas, and others can be broader and more general, such as approval of an official plan.

Policy Making continued.....



Policy-making may involve a number of steps and requires council to:

- identify an issue that needs to be dealt with
- reach agreement on the facts of the issue, making sure the objectives are met
- give direction to staff to research the issue, identify the available options and report back to council with recommendations
- engage members of the public on the issue and consider their feedback
- consider the information provided by staff, taking into account demands on time, funding and other issues
- make a decision based on the best course of action available and adopt a policy
- direct staff to implement the policy
- work with staff to evaluate the policy and to update or amend it as required



Stewardship Role.....

The Ontario Government provides that:

- Council's objectives are to ensure that the municipality's financial and administrative resources are being used as efficiently as possible.
- There is a fine line between council's overall stewardship of the municipality and the administration's management of day-to-day activities. Generally, council monitors the implementation of its approved policies and programs, but the practical aspects of its implementation and administration are a staff responsibility.

Stewardship Role continued.....

- As part of this process, council may wish to:
 - define corporate objectives and set goals and priorities
 - establish clear administrative practices
 - provide specific guidelines and directions to staff on the applications of those policies
 - delegate appropriate responsibilities to staff (to the extent permitted under municipal legislation)
 - establish a personnel management policy that emphasizes the recruitment, hiring, evaluation, training and development of staff
 - ensure that policies with respect to most operations of the municipality are in place, with special note to mandatory policies required by the Act
 - develop protocols for the flow of information between council and staff; and
 - consider establishing a protocol for sharing approaches with other local governments and Indigenous communities that share a common interest in community health, culture and economy

Why this matters.....

- Municipalities are a Statutory Level of Government
 - They must follow the rules in the *Municipal Act* and many other pieces of legislation
 - They are required to have a Council and several different Statutory Officers
- Municipalities are governed by a Council
 - Council is to act in an ethical manner
 - Council is to make decisions that are in the best interest of the Taxpayers
 - Council is to ensure that they operate within their role and not put the Municipality at risk

Protection under S. 448 of the Municipal Act

Members of Council cannot be sued personally for actions within their role and carried out in good faith

- Don't tell the plow truck driver to plow this road now
- Don't drive the plow truck yourself
- Breaching Legislation
- *MCOIA*
- *MFOIPPA*
- *OHSA*

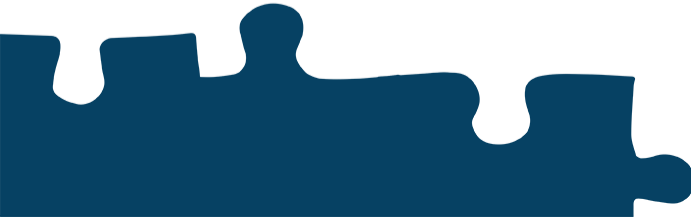
It is Council's role to:

- a) Determine what services the municipality will provide and to what level
- b) Establish policy
- c) Make decisions as a whole at a Council meeting
- d) Hire the CAO if they choose to have one
 - Or other senior Administrator
- e) Not micromanage the Operation



Council Leadership

- a) Vision – Future focus
- b) Strategic Thinking/Planning
- c) Community Engagement



Role of the Mayor

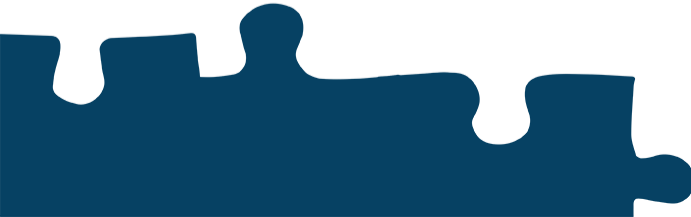


Role of the Mayor.....



225 It is the role of the head of council,

- (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;
- (c.1) 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 (d.1);
- (d) to represent the municipality at official functions; and
- (e) to carry out the duties of the head of council under this or any other Act

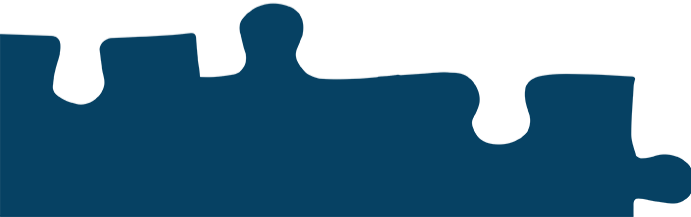


Role of the Mayor.....



Mayor as Chief Executive Officer

- Mayor has a prominent and highly public profile
- Under 226.1 the mayor is an officer of the municipal corporation
- Mayor has primary duty to ensure that policies of the Municipality are implemented
- Mayor must bring ideas forward to Council in order to foster the well-being of the municipality
- However, mayor is not staff; Must maintain distinction between role of staff and council, including mayor



Role of Officers & Employees

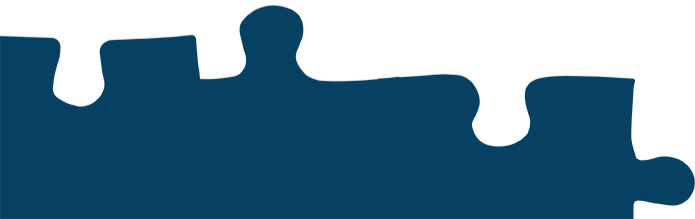


The Role of Staff



Municipal administration – In the *Municipal Act, 2001*

- s.227.** It is the role of the officers and employees of the municipality,
- (a) to implement council's decisions and establish administrative practices and procedures to carry out council's decisions;
 - (b) to undertake research and provide advice to council on the policies and programs of the municipality; and
 - (c) to carry out other duties required under this or any Act and other duties assigned by the municipality.





Officer & employee role is to:

- a) Ensure that the service level is achieved
- b) Ensure that procedures are in place to carry out the direction of Council
- c) Provide Council with professional advice
- d) Not to control Council

Role of the CAO



The Role of the CAO

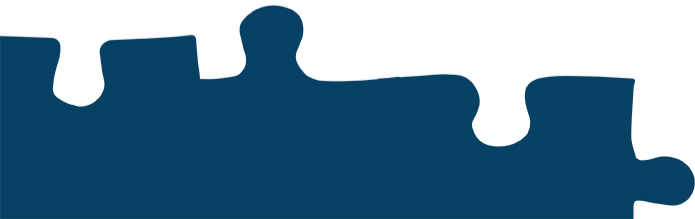


Municipal administration – In the *Municipal Act, 2001*

s.229. It is the role of the CAO,

A municipality may appoint a chief administrative officer who shall be responsible for,

- (a) exercising general control and management of the affairs of the municipality for the purpose of ensuring the efficient and effective operation of the municipality; and
- (b) performing such other duties as are assigned by the municipality.

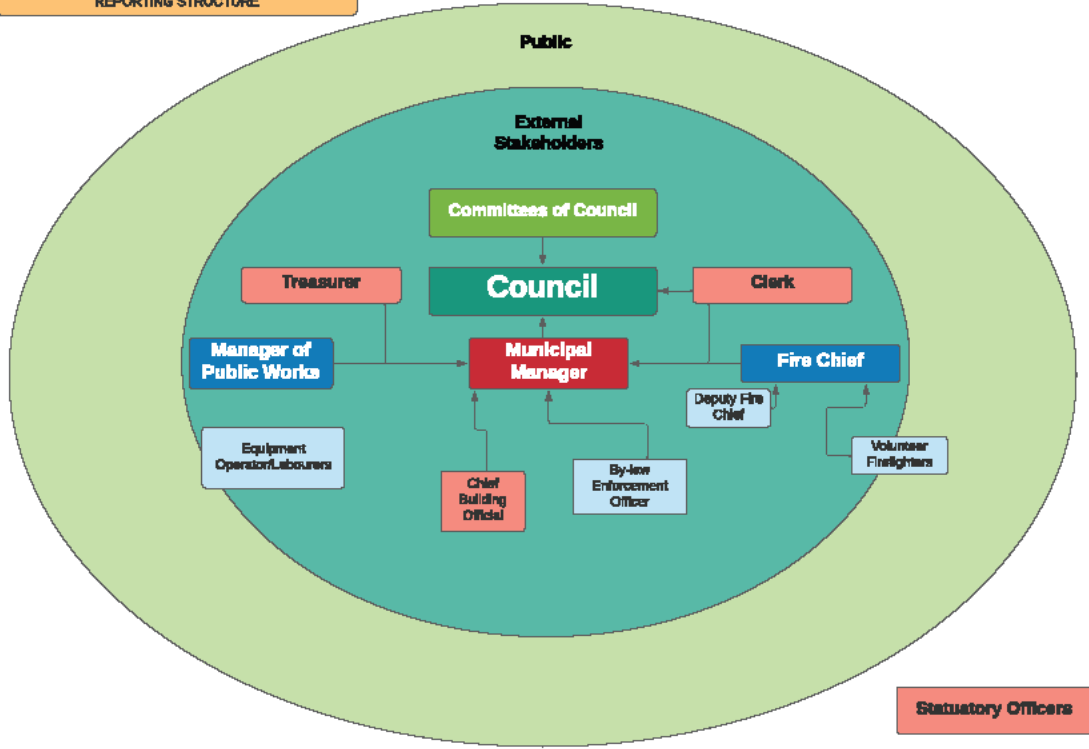




The CAO role is to:

- a) Be the ONLY employee reporting to Council and to ensure that the administrative practices and procedures are in place to carry out the direction of Council
- b) To take direction from Council as a body and not individual members **[including the Mayor]**

REPORTING STRUCTURE



Governance versus Management



Governance vs Management

“The Council as a whole is the directing mind of the municipality, not individual members. It is responsible for setting policies and priorities, allocating resources, and providing direction to staff on the material operational, and financial business of the municipality. Council members must not seek to wield that power unilaterally or away from the Council chamber. Explicit Council authorization should be required where Council delegates its authority to a specific member of Council. Council’s silence is not the same as Council’s consent.”

Transparency and the Public Trust
Report of the Collingwood Judicial Inquiry
Associate Chief Justice Frank N. Marrocco
Commissioner

Governing:

Having authority to conduct the policy, actions, and affairs of a state, organization, or people

Managing:

Management is the administration of an organization, whether it is a business, a non-profit organization, or a government body.

Council/Staff Relationship



Council/Staff Relationship

“Municipal staff are imperative to the functioning of the Town. It is staff’s role to provide Council with objective information and recommendations, to inform Council’s decision making, and to carry out Council’s directions in a manner that maintains public confidence in the integrity of Council, staff, and the municipality. Staff are subject to a number of pressures and require clear guidelines, boundaries, and resources to respond appropriately.”

Transparency and the Public Trust
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Commissioner

Foundation is Respect

- Respect for the position – Council or Staff
- Ethical behaviour/treatment of each other –

“Treat each other the way you want to be treated”

Ask the question.... “How would I like to be treated in this situation” – John C. Maxwell



Council Staff Relations Policy

Procedure Bylaw



Procedure Bylaw

Requirement: Part 238 of the *Municipal Act, 2001*

Municipalities **shall** pass a procedure by-law which governs the calling, place and proceedings of meetings

Procedure Bylaw

Why is a GOOD procedural by-law important?

- Issues with informality in small municipalities
- Municipalities are levels of government and require formality and consistency in meetings
- Well Understood and Used procedural by-law ensures that Council operates effectively and efficiently

Procedure Bylaw

- Decisions are to be made by by-law or resolution
- Procedural by-law ensures that Council exercises powers appropriately

Expected Behavior Bylaw



Managing Behavior

Council's Role in Managing Behavior

- Council creates the framework for:
 - How Members work together (Code of Conduct, Accountability & Transparency Policy)
 - Safe workplaces (Workplace Violence & Harassment Policies)
 - Citizen engagement (Procedure Bylaw, Social Media Policies, Expected Behavior Policies etc.)

Expected Behavior Policy for the Public

- This is not a required policy
- It is a best practice policy
- It clearly tells the public what behaviour Council expects and what would happen if they chose not to adhere to the expectations

Workplace Culture Audit/ Go Forward Strategy



Workplace Culture Audit

- A workplace culture audit helps determine the overall working environment, employee morale/job satisfaction, and considers how people involved in the work environment interact with one another.

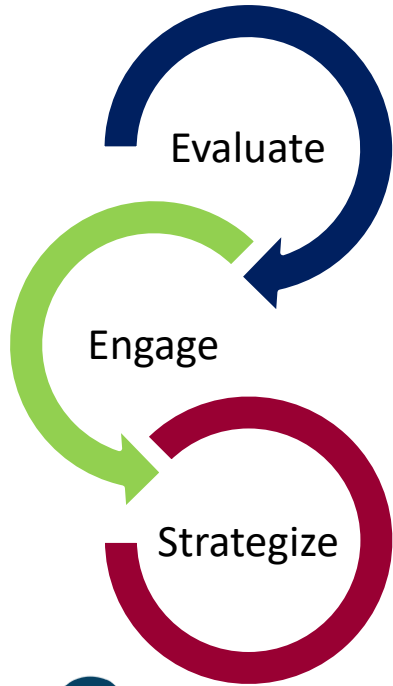
Workplace Culture Audit - Process

- One-on-one interviews
- Council & Staff Surveys
- Review of external stakeholder complaints (if any)
- Review of policies
- Analysis of results
- Recommendations for change/improvement etc.

Workplace Culture Audit – Expected Outcomes

- Clear understanding of the current working environment.
- Go forward strategy for building healthy & resilient workplace culture

Do the groundwork....



1. Review existing services & service levels
2. Determine what needs to be added/changed
3. Evaluate the cost
4. Consider options
5. Engage employees, residents and other stakeholders
6. Prepare a Council Term Plan/Strategy

Why a Council Term Plan?

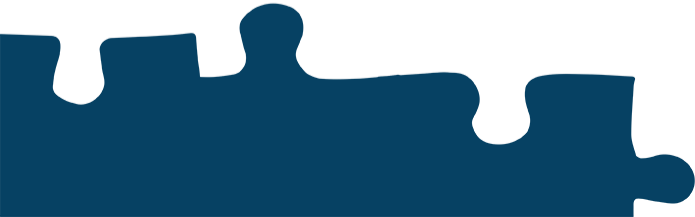
- A Council Term Plan shows that Council is committed to “getting something done”
- It is Council’s Commitment to the Ratepayers to achieve some specific priority outcomes

Why a Council Term Plan?



Decision-Making

- A Council Term Plan is a powerful leadership tool that guides decision making and helps to establish accountability/transparency with the ratepayers.
- It explains to the public and municipal staff the activities that Council expects to focus on during their term.
- This plan is separate from a Community Strategic Plan.
- Highly successful municipalities use tools such as a Council Term Plan.

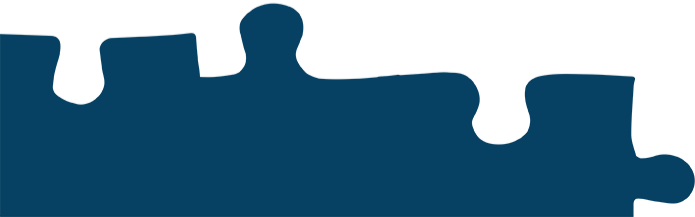


Why a Council Term Plan?



Focus

- A Council Term Plan provides focus to the work of Council and subsequently, the Municipality [which includes employees, volunteers and third parties].
- Often Municipal Council's are reactionary, not forward thinking – Councils manage crises and do not plan for the future – this leads to stagnation, distrust, poor Council/Staff Relations & public apathy – a Council Term Plan can reverse this.
- Forward thinking Municipalities earn more credibility, work towards common goals, have less dissention and build more sustainable communities.

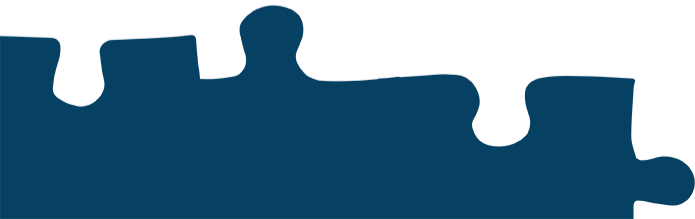


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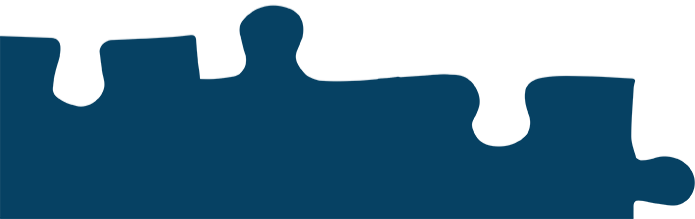
Provides Direction to CAO/Municipal Managers

- A Council Term Plan provides a set of Council expected outcomes.
- These outcomes are broken down into specific tasks and form annual workplans/expectations for the Administrative/Operational staff.
- In turn, performance is evaluated on the execution of the tasks.





Next Steps



**For More information or to
see how E4m can help,
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