

## **An Agendas Committee**

While many municipalities overlook the importance of the agenda to good Council decision-making, we believe that an agenda is central to the process of local government and one of the key instruments by which Council controls the decisions which impact upon the Town. Without a thoughtful approach to building an agenda the decision-making process will quickly appear mechanistic and stale. It will also be dominated by the administration that, while central to the process, should not be the only players involved in determining what is or is not on the agenda.

We believe that the agenda should be seen as your instrument in making sound decisions and for ensuring that important issues are constantly kept in the forefront of Council. Although the physical preparation of the agenda should be the responsibility of the CAO and Municipal Clerk/Executive Secretary, the agenda itself should still be seen as Council's decision-making tool and that of its principal advisor, the CAO. Rather than solely being a list of issues derived by management based on its need for certain answers, or responses to correspondence from the public and others, the agenda should also contain any issues which arise which are of concern to members of Council.

## **Mandate and Guidelines for the Agendas Committee**

The proposed mandate of the Agendas Committee is:

- to ensure that the business of Council is being dealt with fairly and expeditiously
- to review potential agenda items and ensure that these are appropriate for inclusion on a Council and/or the Governance and Priorities Committee agenda
- to advise Council as to why any particular matter should not be brought forward for Council review at the present time.

The Agendas Committee should consist of three members of Council including the Mayor, the Deputy Mayor and one other member of Council serving for a term of one year (this person should be rotated annually by the Mayor). Advising the Committee will be the responsibility of the CAO (or designate) and the Municipal Clerk (or designate). This committee should meet about 3-4 days prior to a GPC meeting and review the agenda items as put forward by either the CAO, members of Council or by the Clerk. This committee should operate by consensus. Agenda items should include:

- those submitted by the administration (and which require Council's policy review and approval)
- those which Council members agree by a resolution of Council to refer to either this Committee or to the GPC agenda for consideration

- those issues which an individual Council member might submit which the Committee believes warrants a report by the administration (and thus which the Committee places before Council in the form of a “notice of motion”)
- those which external boards/agencies believe require the guidance of Council before they can take a particular course of action

The Agendas Committee is not intended to act as a censor for agenda items. Rather, it is to serve as a sounding board for both Council and the senior administration to ensure that issues are dealt with effectively and in the proper course of time. The Committee is charged with ensuring that the time a Council spends considering Council’s business is used wisely and that business is conducted as openly as possible so as to be transparent before the public.

The Committee will ensure that the focus of Council is placed on “higher order” issues that potentially can impact current Council direction and policy. These “higher order” issues, for the most part, will likely be those of a strategic policy nature dealing with those issues which we outline as being within the purview of a Council.

The Agendas Committee will not have authority to defer any proposed agenda matter for longer than one regularly scheduled meeting without the prior consent of Council (by resolution). The Municipal Clerk should be responsible for establishing a mechanism for tracking these issues and for advising the Council as to their eventual disposition.

Any staff report intended for Council should be directed through the appropriate administrative channels to the CAO and thus becomes “his” report. That is based on the logic and protocol that it is through the CAO that all members of staff report. If the reports are authored by someone other than the CAO, then that name should also be shown on the “request for decision” covering page to which we have alluded earlier together with the name and signature of the appropriate department head. (As noted earlier, the CAO is expected to sign off all reports that are tabled at a committee or Council meeting).

## **The CAO-Council Interface: A Critical “Linkpin”**

Each Council should be advised by one person who should be delegated authority over the administrative organization. While that is admittedly a sweeping statement it is nonetheless an accurate portrayal of a very healthy system. The chief officer for the administration (in most instances referred to as the CAO - Chief Administrative Officer or simply Administrator) should be viewed as Council’s “go to person”.

### **Multitude of Roles**

The CAO’s work is multi-faceted and includes responsibility of all aspects of the administration: the duty of advising the Mayor and members of Council; ensuring a focus on quality customer service; supporting and coaching team members; ensuring sound policies are developed; establishing the necessary supporting procedures to approved Council policies; participating as a member of the senior management team; supporting effective administration; and working collegially with the Mayor.

### **Building Quality Relationships**

As we view it, a CAO’s ability to carry out these roles depends in large measure on his ability to build relationships with those in the organization (particularly at the senior level) and to develop a strong relationship to Council. This is generally a function of his ability to advise Council regularly and comprehensively such that the latter is able to develop a high degree of confidence in his ability to carry out the tasks involved. This confidence is an elusive factor and one that dominates the life of each and every CAO across Canada. Indeed, every chief officer that I have ever worked with has commented on the absolute necessity of building a high level of confidence with the Mayor and Councillors in order to make the system work as intended.

### **Importance of Confidence**

There are various reasons why we place such a strong emphasis on relationship and confidence building. First, the decisions of the governing body are often predicated on their confidence in the advice provided by their administration. Where there is a substantial degree of confidence, it may be presumed that the Council will accept the advice and provide their approval by way of resolution, policy or by by-law. This is not to say that there will not be suggestions for change or amendment or questions relative to options that have been presented. There is not, however, any likelihood of hand-wringing over the “what ifs” after the meeting, given that Council feels confident that it has received all of the salient and available information and thus its decisions, regardless of their popularity, are likely sustainable.

Secondly, the decisions being made by a Council on the advice of its CAO are assumed to be relatively “high level” and of substantive impact on the delivery of local

government services or the resolution of issues. As a result, it is imperative that the advice of the CAO is presented in an honest, comprehensive and straight-forward manner without reference to the potential political fall-out which might occur. In my view the concern about “political fall-out” is a legitimate political concern but not for the administration to have on its radar.

Second, Council members should be able to receive the reports and advice of the CAO with complete confidence. These reports have been prepared in a thorough and professional fashion. While the recommendations contained therein could be challenged the reports themselves are still very credible.

Both Council and the CAO will recognize that a perception that decisions have been mishandled or with less than complete objectivity and professionalism, may negatively impact the Community. Such decisions may become the matter of lawsuits if not carefully managed. This may cost the community financially and may negatively impact the community’s reputation if it is found that it acted without taking all the steps that would be considered by peers in similar circumstances as “reasonable, logical”.

### **The Spill-Down Effect**

Thirdly, the role and performance of the CAO impacts the perception that a Council can have of its complete administration and particularly those at the senior management level. If the relationship between the Council and CAO is one based on trust and respect then there is more likely to be a similar degree of confidence in the work and reports of other members of the senior management team. If there is a lack of trust then it might be expected that members of Council will begin to bypass the CAO and deal directly with the other senior managers.

If the Council has confidence in the ability of its CAO to make quality decisions, this transfers as well to his/her ability to recruit top quality people for senior level positions as well as being able to make prudent decisions relative to their hiring or dismissal. Hiring the top managers (department heads) ought to be the purview of the CAO. He/she has to work with these people day in and day out. Their ability will reflect on the recruiting skills and talent finding acumen of the CAO. While Council members may have some experience in such matters, any CAO worth their salt should be anxious to take on this task without political involvement. Unheard of, you say? Not true. Most communities today rely on their CAO to make hiring and termination decisions.

### **One Employee**

Many jurisdictions across Canada recognize the value of considering Council as a “one employee” organization. This model requires the advice to Council being vetted,

approved and signed off by the CAO and any direction to the administration either flowing through the CAO or being subject to the approval of the CAO.

Another significant role played by the CAO is that of the administrative team leader responsible for organizing and building the skills and abilities necessary to discharge the functions of a community. Accordingly, he/she is also responsible for ensuring that there is a strong focus on quality customer service using a team approach. This requires training and coaching senior staff in what the municipality regards as “quality service”.

Further, the leadership must not only encourage all members of the administration to pursue service excellence, the CAO and his/her team must “walk the talk” such that those following can model their performance and attitude in terms of what they see on a daily basis in the lives and management styles of the CAO and his/her subordinates.

### **Collaborative Approach**

A part of this responsibility is to build into the direct reports and through them to the rest of the administration, the type of successes that are possible through collaborative efforts. This is never accomplished at once or through an individual effort but over the course of time and through the combined efforts of all senior team members.

The CAO also has a delicate balance to maintain in terms of his/her leadership “at the table”. He/she needs to be seen as “in charge” without using the powers attached to the role in such a way as to intimidate his/her colleagues. His/her role as meeting chair is to guide discussions, solicit solutions to issues, encourage respect for the Council, and plan administrative response to the Council’s leadership (as expressed through the Council resolutions, the budget and strategic plan). If the message is one of empowerment and support for a collegial approach, then unilateral decisions should be minimal.

Council also needs to have confidence that its decisions are going to be carried out by the administration immediately (i.e. as soon as realistically possible) after the Council meeting. Thus, regardless of the advice of the CAO and administration being deemed acceptable or not, the decision of Council is that which defines the resulting action. The CAO is responsible for ensuring that the decisions of Council are implemented as quickly as possible after the motion approving such action.

### **What if the Reality Proves Otherwise?**

I accept that it is possible that a Council can be served by someone who lacks professionalism; plays silly games; is caught up in power; listens only to the Mayor; abuses senior and junior staff; has an anger (or substance abuse or pornography) problem; etc. All of the foregoing have happened. None of the foregoing are reasons

to abandon the notion that a solid administrator with considerable authority is not the way to go. Council just has to make better choices and get the recruitment right at the outset. Find the best person available after utilizing a thorough (and preferably independent) executive search process.

### **Don't Settle**

Do not settle for a warm body or someone local who has managed the hardware store but knows nothing about municipal management. The role of a CAO is critical to the success not only of a Council but, more importantly, the community. Can you afford to do less?

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## Terms of Reference for an Audit Committee

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### Audit Questions

1. In your professional opinion, how would you describe the fiscal health of our Municipality? How has that changed over the past 12 months?
2. Are there any major issues affecting our fiscal health that we should be aware of and do our present policies need to be adjusted?
3. Are there any steps that we could take to improve/enhance the financial integrity of the Municipality?
4. Are there any potential landmines or deficiencies that you foresee that might impair the financial integrity of our Municipality?
5. Are you satisfied with the cooperation you have received to date from our senior management? Have they responded well to any suggestions you have provided in past years relative to strengthening our systems?
6. Are you satisfied with the manner in which our organization tracks and compares actual expenditures to budgeted forecasts? Does our present system enable our administration to properly and accurately maintain an ongoing record of expenditures? What degree of this detail should be made available to the Council on an ongoing basis?
7. Have you assessed the effectiveness of our organizational controls? Are you satisfied?
8. Are you aware of any special audits that could be done by your firm which would assist us in strengthening our system of checks and balances?
9. What would you charge to do a special audit of the expense accounts of our senior management and say 2-3 members of the Council?
10. What is your definition of “materiality”? How does that impact your work on our behalf?
11. What performance indicators should a Municipality of our size have so that we are confident that our municipality will receive “value for money” through its services?
12. Is there a “good governance” model of audit oversight which our Council ought to be providing and can you provide us with that information?

## **CITY OF ST. ALBERT**

### **BYLAW 38/2017**

#### A Bylaw to establish the code of conduct for members of Council.

WHEREAS, pursuant to section 145 of the *Municipal Government Act*, a council may pass bylaws for municipal purposes regarding the conduct of council and the conduct of councillors;

AND WHEREAS the establishment of a code of conduct for members of Council is consistent with the principles of transparent and accountable government;

AND WHEREAS a Code of Conduct ensures that members of Council share a common basis and understanding for acceptable conduct extending beyond the legislative provisions governing the conduct of councillors;

NOW THEREFORE the Council of the City of St. Albert, in the Province of Alberta, duly assembled, enacts as follows:

#### **TITLE**

1. This Bylaw may be called the “Council Code of Conduct Bylaw”.

#### **DEFINITIONS**

2. In this bylaw, words have the meanings set out in the Act, except that:
  - a. “Act” means the *Municipal Government Act*, R.S.A. 2000, c. M-26, any regulations thereunder, and any amendments or successor legislation thereto;
  - b. “Administration” means the administrative and operational arm of the City, comprised of the various departments and business units and including all City staff who operate under the leadership and supervision of the City Manager;
  - c. “City Manager” means the chief administrative officer of the City, or their designate;
  - d. “City” means the municipal corporation of the City of St. Albert;
  - e. “Council Member” or “Member” means a member of City Council, including a councillor and the Mayor;



- f. “FOIP” means the *Freedom of Information and Protection of Privacy Act*, R.S.A. 2000, c. F-25, any regulations thereunder, and any amendments or successor legislation thereto;
- g. “Integrity Commissioner” means the individual appointed by Council who is responsible for performing in an independent manner the functions assigned by this Code of Conduct;
- h. “Mayor” means the chief elected official of the City;
- i. “Social Media” refers to freely accessible, third-party hosted, interactive web-based technologies used to produce, post and interact through text, images, video and audio to inform, share, promote, collaborate or network.

### **Purpose and Application**

The purpose of this Code of Conduct is to provide standards for the conduct of Council Members relating to their roles and obligations as elected representatives of the City and a procedure for the investigation and enforcement of those standards. This Code of Conduct is one aspect of accountability and transparency both internally, as among Members and as between Council and Administration, as well as externally, with other orders of government, the media and the public at large.

### **Framework and Interpretation**

This Code of Conduct provides a framework to guide ethical conduct in a way that upholds the integrity of the City and the high standards of professional conduct the public expects of its local government elected representatives. This Code of Conduct is intended to supplement existing legislation governing the conduct of Council Members.

- 3. Along with the bylaws and policies of Council, the following provincial and federal legislation governs the conduct of Members:
  - a. The *Municipal Government Act*
  - b. The *Freedom of Information and Protection of Privacy Act*
  - c. The *Local Authorities Election Act*
  - d. The *Alberta Human Rights Act*
  - e. The *Occupational Health and Safety Act*
  - f. The *Criminal Code of Canada*
- 4. The Code of Conduct is to be given a broad and liberal interpretation in accordance with applicable legislation. It is not possible to write a Code of Conduct that covers every scenario and, accordingly, Council Members are to be guided by and conduct themselves in a manner that reflects the spirit and intent

of this Code. Commentary and examples used in this Code of Conduct are illustrative and not exhaustive.

### **Statement of Principles and Values**

5. Council Members are expected to perform their functions of office with integrity, accountability and transparency and conduct themselves in a professional manner at all times.
6. Members have a duty to act honestly, in good faith, and in best interests of the City.
7. Members shall:
  - a. uphold the law established by the Federal Parliament and the Alberta Legislature and the bylaws and policies adopted by Council;
  - b. carry out their duties in accordance with all applicable legislation, bylaws and policies pertaining to their position as an elected official;
  - c. observe the highest standard of ethical conduct and perform their duties in office and arrange their private affairs in a manner that promotes public confidence and will bear close public scrutiny; and
  - d. serve and been seen to serve the welfare and interests of the City as a whole and the community at large in a conscientious and diligent manner and shall approach decision-making with an open mind.

### **Confidential Information**

Council as a whole must be able to access information that is necessary to fulfill its decision-making duties and oversight responsibilities; however, individual Members must also recognize that the information they receive in their capacity as elected officials is subject to confidentiality and disclosure rules contained in federal and provincial legislation and City bylaws and policies.

8. Council Members have a statutory duty to keep in confidence matters discussed in private at a Council or Council Committee meeting until discussed at a meeting held in public, pursuant to section 153(e) of the *Municipal Government Act* (“the Act”).
9. In the course of their duties, Council Members may also become privy to confidential information received outside of an “in-camera” meeting. Members

must not:

- a. disclose or release by any means to any member of the public, including the media, any confidential information acquired by virtue of their office, unless the disclosure is permitted or required by law, as determined by the designated head of the City for the purposes of FOIP;
  - b. access or attempt to gain access to confidential information in the custody or control of the City unless it is necessary for the performance of the Member's duties and is not otherwise prohibited by Council, and only then if the information is acquired through appropriate channels in accordance with applicable Council bylaws and policies;
  - c. use confidential information for personal benefit or for the benefit of any other individual or organization.
10. Confidential information includes information in the possession of, or received in confidence by, the City that the City is prohibited from disclosing pursuant to legislation, court order or by contract, or is required to refuse to disclose under FOIP or any other legislation, or any other information that pertains to the business of the City, and is generally considered to be of a confidential nature, including but not limited to information concerning:
- a. the security of the property of the City;
  - b. a proposed or pending acquisition or disposition of land or other property;
  - c. a tender that has or will be issued but has not been awarded;
  - d. contract negotiations;
  - e. employment and labour relations;
  - f. draft documents and legal instruments, including reports, policies, bylaws and resolutions, that have not been the subject matter of deliberation in a meeting open to the public;
  - g. law enforcement matters;
  - h. litigation or potential litigation, including matters before administrative tribunals; and
  - i. advice that is subject to solicitor-client privilege.

## **Conflicts of Interest**

11. Council Members are expected to make decisions for municipal purposes for the welfare or interests of the City as a whole.
12. Members are to be free from undue influence and not act or appear to act in order to gain financial or other benefits for themselves, family, friends or associates, business or otherwise.
13. Members have a statutory duty to comply with the pecuniary interest provisions set out in Part 5, Division 6 of the Act and a corresponding duty to vote unless required or permitted to abstain under the Act or another enactment.
14. Council Members shall not use their positions to obtain employment with the City for themselves, family members or close associates. Members are ineligible to apply or be considered for any position with the City while they hold their elected position and for one year after leaving office.
15. Members shall not, in the exercise of an official power, duty or function, give preferential treatment to any individual or organization if a reasonably well-informed person would conclude that the preferential treatment was advancing a private interest.
16. No Council Member shall use the influence of their office for any purpose other than for the exercise of the Member's official duties.
17. No Member shall act as a paid agent to advocate on behalf of any individual, organization or corporate entity before Council or a committee of Council or any other body established by Council.
18. Members shall not contact or otherwise attempt to influence members of any adjudicative body whose members have been appointed by Council regarding any matter before it; for example, the City's Subdivision and Development Appeal Board or a Local or Composite Assessment Review Board.

## **Respect for the City and its Bylaws and Policies**

19. Members shall respect the City as a municipal institution, its bylaws and policies. Members shall encourage public respect for the City, its bylaws and policies.
20. A Member must not encourage disobedience of a City bylaw or policy in responding to a member of the public, as this undermines confidence in the City and in the rule of law.

21. Members shall conduct themselves with appropriate decorum at all times. As leaders in the community, Members are held to a higher standard of behaviour and conduct and must be mindful that as public figures the lines between public and private behaviour are not readily apparent, nor easily distinguishable by the public at large.

### **Attendance**

22. Members have a statutory duty to participate in Council meetings and failure to attend as required may lead to a Member's disqualification under the Act.
23. Members are responsible for participating in Council committee meetings and meetings of other bodies to which they are appointed by Council and failure to attend as required may lead to Member's being removed from the committee or body or being subject to other sanctions outlined in this bylaw.
24. Members' attendance at meetings and official events required by law, City bylaw, policy or procedure, committee terms of reference, or by Council resolution shall be recorded and reported quarterly by the City Manager on the City's website.

### **Conduct at Meetings**

25. Council Members shall conduct themselves with decorum and make every effort to participate diligently in the meetings of Council, committees of Council and other bodies to which they are appointed by Council.
26. Members shall comply with the provisions of the Procedure Bylaw, or any other rules of meeting procedure applicable to the body to which they have been appointed by Council.
27. Members shall act in a manner that demonstrates fairness, respect for individual differences, and an intention to work together for the common good and in furtherance of the public interest.
28. Members shall endeavour to conduct and convey Council business and all their duties in an open and transparent manner other than for those matters which by virtue of legislation are authorized to be dealt with in a confidential manner in an in-camera (closed) session, and in so doing, allow the public to view the process and rationale which was used to reach decisions and the reasons for taking certain actions.

## **Respect for Decision Making Process**

29. Decision-making authority lies with Council, and not with an individual Member. Council may only act by bylaw or resolution passed at a Council meeting held in public at which there is a quorum present, pursuant to sections 180 and 181 of the Act.
30. A Member must not purport to bind Council, either by publicly expressing their personal views on behalf of Council when not authorized to do so or by giving direction to employees, agents, contractors, consultants or other service providers of the City or prospective vendors.
31. Members shall accurately communicate the decisions of Council, even if they disagree with Council's decision, such that respect for the decision-making processes of Council is fostered.

## **External Communications**

This part of this Code of Conduct is not meant to limit public comment solely to Council's official spokesperson, but rather to recognize that the City requires a single point of contact to speak with authority on behalf of Council. Council acknowledges and respects that Members have the legal right to express their personal opinions, whether those opinions are complimentary or critical, subject to those limits prescribed by law.

32. A Member must not purport to speak on behalf of Council unless authorized to do so.
33. Unless Council directs otherwise, the Mayor is Council's official spokesperson and in the absence of the Mayor it is the Deputy Mayor.
34. A Member who is authorized to act as Council's official spokesperson must ensure that their comments accurately reflect the official position and will of Council as a whole, even if the Member disagrees with Council's position.
35. No Member shall make a statement when they know that statement is false.
36. No Member shall make a statement with the intent to mislead Council or members of the public.
37. Media Communications:
  - a. All inquiries from the media regarding the official Council position on an issue shall be referred to Council's official spokesperson.

## **Use of Social Media**

Once posted on social media, any material or comment is accessible to anyone with an Internet connection. Furthermore, the content can never be effectively removed. As public figures and representatives of the City, Council Members should act with discretion and be judicious in what material they post on social media. As with any other communications, Members are accountable for content and confidentiality. Care should be exercised in debates or comments on contentious matters, as feelings and emotions can become enflamed very quickly.

38. No Member shall attempt to disguise or mislead as to their identity or status as an elected representative of the City when using social media.

39. No Member shall use social media to publish anything that is dishonest, untrue, unsubstantiated, offensive, disrespectful, constitutes harassment, is defamatory or misleading in any way.

## **Discrimination and Harassment**

Council Members have a duty to treat members of the public, one another and City staff with dignity and respect and without abuse, bullying or intimidation, and to ensure that their work environment is free from discrimination and harassment. Council Members are governed by the *Alberta Human Rights Act* and the *Occupational Health and Safety Act*.

40. No Member shall use indecent, abusive, or insulting words or expressions toward any other Member, any staff member or any member of the public.

41. No Member shall speak in a manner that is discriminatory to any individual based on the person's race, religious beliefs, colour, gender, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status or sexual orientation.

## **Conduct Respecting Administration**

Council is the source of all governance authority and will make decisions on whether and to what extent to delegate Council's authority to others, including the Mayor, committees of Council and to the City Manager or a designated officer. Under the direction of the City Manager, staff in Administration serves Council as a whole. No individual Member has executive authority over City staff.

42. Council Members shall respect the fact that staff work for the City as a body corporate and are charged with making recommendations that reflect their professional expertise and a corporate perspective and carrying out directions of Council and administering the policies and programs of the City, and that staff



are required to do so without undue influence from any Member or group of Members.

43. A Member must not:

- a. involve themselves in matters of Administration, which fall within the jurisdiction of the City Manager in accordance with Section 201(2) of the Act;
- b. use, or attempt to use, their authority or influence for the purpose of intimidating, threatening, coercing, commanding or influencing any staff member with the intent of interfering in staff's duties; or
- c. maliciously or falsely injure the professional or ethical reputation, or the prospects or practice of staff.

44. Council Members shall obtain information about the operation or administration of the City from the City Manager or a person designated by the City Manager, in accordance with section 153(d) of the Act.

- a. Members are to contact staff according to the procedures authorized by the City Manager regarding the interaction of Members and staff.

### **Use of Municipal Property and Resources**

45. Council Members shall use municipal property, equipment, services, supplies and staff resources only for the performance of their duties as a Member, subject to the following limited exceptions:

- a. municipal property, equipment, service, supplies and staff resources that are available to the general public may be used by a Member for personal use upon the same terms and conditions as members of the general public, including booking and payment of any applicable fees or charges;
- b. electronic communication devices, including but not limited to desktop computers, laptops, tablets and smartphones, which are supplied by the City to a Member, may be used by the Member for personal use, subject to the terms and conditions described below.

46. Electronic communication devices provided by the City are the property of the City, and shall, at all times, be treated as the City's property. Council Members are hereby notified that they are to have no expectation of privacy in the use of these devices and further that:



- a. all emails or messages sent or received on City devices are subject to FOIP;
  - b. all files stored on Municipal devices, all use of internal email and all use of the Internet through the City's firewall may be inspected, traced or logged by the City;
  - c. in the event of a complaint pursuant to this Code of Conduct, Council may require that any or all of the electronic communication devices provided by the City to Members may be confiscated and inspected as part of the investigation including downloading information which is considered relevant to the investigation. All email messages or Internet connections may be retrieved.
47. No Member shall use any property, equipment, services or supplies of the City, including email, Internet services, or any other electronic communication device, if the use could be offensive or inappropriate.
48. No Member shall obtain financial gain from the use or sale of City-developed intellectual property (for example, inventions, creative writings and drawings), computer programs, technological innovations, or other patent, trademark or copyright held by the City. Members acknowledge and do not dispute that all such property remains exclusively that of the City.
49. No Member shall use information gained in the execution of their duties that is not available to the general public, for any purposes other than the Member's official duties.

### **Expenses**

50. Council Members shall comply with the provisions of all Council policies and related procedures and guidelines with respect to claims for remuneration and expenses, including but not limited to, claims for per diems, mileage, travel, meals, lodging, event tickets, hosting and attendance at conferences, conventions, seminars, training courses and workshops.
51. Falsifying of claims, including receipts or signatures, by a Member is a serious breach of this Code of Conduct and the Criminal Code of Canada and could lead to prosecution.

### **Gifts and Benefits**

Council Members are expected to represent the public and the interests of the City and to do so with both impartiality and objectivity. The acceptance of a gift or benefit can imply favouritism, bias or influence on the part of the Member. At times, the acceptance of a gift or benefit occurs as part of the social protocol or community events linked to the

duties of a Member and their role in representing the City. Personal integrity and sound business practices require that relationships with developers, vendors, contractors or others doing business with the City be such that no Member is perceived as showing favouritism or bias toward the giver.

52. Members shall not accept gifts or benefits that would, to a reasonable member of the public, appear to be in gratitude for influence, to induce influence, or otherwise to go beyond the necessary and appropriate public functions involved.

- a. A gift or benefit provided with the Member's knowledge to a Member's spouse, child, or parent that is connected directly or indirectly to the performance of the Member's duties is deemed to be a gift to that Member.
- b. The following are recognized as acceptable gifts or benefits, and all such gifts shall be reported to Council, in the manner prescribed by Council from time to time:
  - i. such gifts or benefits that normally accompany the responsibilities of office and are received as an incident of protocol or social obligation, provided that the value of the gift or benefit does not exceed \$100 in value;
  - ii. a political contribution that is authorized, administered and reported in accordance with the *Local Authorities Election Act*;
  - iii. services provided without compensation by persons volunteering their time;
  - iv. a suitable memento of a function honouring the Member;
  - v. food, lodging, transportation, event tickets or entertainment provided by provincial, or local governments, by the Federal government or by a foreign government within a foreign country, or by a conference, seminar or event organizer where the Member is either speaking or attending in an official capacity;
  - vi. Food and beverages consumed at banquets, receptions, or similar events, if:
    - attendance serves a legitimate purpose;
    - the person extending the invitation or a representative of the organization is in attendance; and
    - the value is reasonable and the invitations infrequent;
  - vii. Communication to the offices of a Member, including subscriptions to newspapers and periodicals.

53. Gifts received by a Council Member on behalf of the City as a matter of official protocol which have significance or historical value for the City shall be left with the City when the Member ceases to hold office.

54. Use of real estate or significant assets or facilities (i.e. a vehicle, office, vacation property) at a reduced rate or at no cost is not an acceptable gift or benefit, if the

intent is to provide a benefit to the Council Member in recognition of their capacity as a Member. However, it is recognized that Members will have personal relationships with individuals who may from time to time have business relationships that will involve the City in some way. The purpose of this Code is not to prohibit Members from accepting all invitations to socialize at a vacation property of personal friends.

55. An invitation to attend a function where the invitation is directly or indirectly connected with the Member's duties of office is not considered to be a gift but is the fulfillment of an official function or duty. Proper caution and diligence must, however, be exercised when a social function occurs within close temporal proximity to the individual having an issue before Council or staff for approval. Any doubts about the propriety of a gift or benefit should be resolved in favour of not accepting it or not keeping it.

For greater clarity, these provisions do not in any way restrict a Council Member from accepting compensation or other benefits authorized by law that a Member may be entitled to receive in connection with the performance of the Member's duties, including but not limited to Council remuneration and benefits approved by Council policy.

### **Election-Related Activity**

All candidates in an election are entitled to have an equal opportunity to access City resources and expect that no preferential treatment by the City will be afforded to candidates that are incumbent Members.

56. Council Members must not utilize their position to garner an unfair advantage over candidates who are not Members.
57. Council Members are required to follow the provisions of the *Local Authorities Election Act* and are accountable under the provisions of that statute.
58. Members should not make inquiries of, or rely on, City staff to interpret or provide advice to Members regarding the requirements placed on candidates for municipal office.
59. Members shall be respectful of the role of the Returning Officer in managing the municipal election process and must not interfere with how the Returning Officer's election duties are carried out.
60. Council Members shall not use municipal resources, including property, equipment, services, supplies and staff time, for any election-related activities, whether local, provincial or federal.

- a. Online resources hosted, supplied or funded by the City, including but not limited to Member electronic newsletters,
  - b. Member websites linked through the City's website and Member social media accounts shall not be used for any election campaign or campaign-related activities.
  - c. No Member shall use the City logo for campaign purposes.
61. To avoid confusion with any website or social media account used for the Council Member's duties, Members who choose to create or use websites or social media accounts for campaign communications must include, for the duration of the campaign, a clear statement on each campaign website or social media account's home page indicating the website or account is being used for election campaign purposes.
62. A Member may accept the services of City staff that may choose to volunteer with the Member's election campaign during non-work hours.

### **Council Self-Evaluation Sessions**

63. Council shall hold Council Self-Evaluation Sessions every twelve months.
- a. Council Self-Evaluation Sessions may include reviews of Council's working relationships and whether the working relationship is, or have been, inconsistent with this Council's values, approved plans, goals and objectives, this Code of Conduct or any other City bylaw or policy.

### **Compliance with this Code of Conduct**

Council Members are accountable to the public through the four-year election cycle. Between elections, Members may become disqualified and required to resign if the Member commits a disqualifying action pursuant to section 174 of the Act.

Members are expected to adhere to the provisions of this Code of Conduct. Council does not have the authority to disqualify or remove a Member from office; only a court of competent jurisdiction or the Minister of Municipal Affairs can do so. Council does, however, have the right to sanction a Member provided that the Member continues to have sufficient access to information and services so as to be able to carry out their duties as a Member.

64. Any reported violation of this Code of Conduct may be subject to investigation by the Integrity Commissioner.

65. Members are expected to co-operate in every way possible in securing compliance with the application and enforcement of this Code of Conduct.

66. No Council Member shall:

- a. undertake any act of reprisal or threaten reprisal against a complainant or any other person for providing relevant information to the Integrity Commissioner or to any other person; or
- b. obstruct the Integrity Commissioner, or any other person, in carrying out the objectives or requirements of this Code of Conduct.

67. Sanctions that may be imposed on a Member, by Council, pursuant to this Code of Conduct include, but are not limited to:

- a. demand for a public apology;
- b. public reprimand through a motion of censure;
- c. removal from membership of a committee;
- d. removal as chair of a committee;
- e. required reimbursement of monies received;
- f. suspension of remuneration paid to the Member in respect of the Member's services;
- g. required return of City property or reimbursement of its value;
- h. restrictions on access to City facilities, property, equipment, services and supplies;
- i. restrictions on contact with City staff;
- j. restriction on travel and representation on behalf of Council;
- k. restrictions on how documents are provided to the Member (e.g. no electronic copies, but only watermarked paper copies for tracking purposes).

### **Complaint Procedures**

#### **68. Informal Complaint Procedure**

Any individual who identifies or witnesses behaviour or activity by a Council

Member that they reasonably believe, in good faith, is in contravention of this Code of Conduct may address the prohibited behaviour or activity themselves in the following informal and private manner:

- a. Advise the Member that the behaviour or activity appears to contravene this Code of Conduct;
- b. Encourage the Member to acknowledge and agree to stop the prohibited behaviour or activity and to avoid future occurrences of the prohibited behaviour or activity;
- c. Document the incidents including dates, times, locations, other persons present, and any other relevant information;
- d. Request the Mayor to assist in informal discussion of the alleged complaint with the Member in an attempt to resolve the issue. In the event that the Mayor is the subject of, or is implicated in a complaint, request the assistance of the Deputy Mayor;
- e. If applicable, confirm to the Member satisfaction with the response of the Member or, if applicable, advise the Member of dissatisfaction with the response; and
- f. Consider the need to pursue the matter in accordance with the formal complaint procedure outlined in Section 69, or in accordance with any other applicable judicial or quasi-judicial process or complaint procedure.

Individuals are encouraged to pursue this informal complaint procedure as the first means of remedying behaviour or activity that they believe violates this Code of Conduct. However, an individual is not required to complete this informal complaint procedure prior to pursuing the formal complaint procedure outlined in Section 69.

#### 69. Formal Complaint Procedure

Any individual who identifies or witnesses behaviour or activity by a Council Member that they reasonably believe, in good faith, is in contravention of this Code of Conduct may file a formal complaint in accordance with the following conditions:

- a. All complaints shall be made in writing and shall be dated and signed by an identifiable individual.
- b. All complaints shall be addressed to the Integrity Commissioner.

- c. The complaint must set out reasonable and probable grounds for the allegation that the Member has contravened the Code of Conduct, including a detailed description of the facts, as they are known, giving rise to the allegation.
- d. Upon receipt of a complaint under this Code of Conduct, the Integrity Commissioner shall conduct a preliminary review of the complaint to determine whether to proceed to investigate the complaint or dispose of the complaint in a summary manner.
  - i. The Integrity Commissioner may request further information from the complainant as part of the preliminary review before determining whether to proceed to investigate the complaint or dispose of the complaint in a summary manner.  
If the complaint is not, on its face, a complaint with respect to non-compliance with the Code of Conduct or the complaint is covered by other legislation or a complaint procedure under another Council policy, the Integrity Commissioner shall advise the complainant, in writing, that the matter is not within the jurisdiction of the Integrity Commissioner to process, with any additional reasons and referrals to the appropriate authority as the Integrity Commissioner considers appropriate.
  - ii. If the Integrity Commissioner is of the opinion that a complaint is frivolous or vexatious or is not made in good faith, or that there are no grounds or insufficient grounds for conducting an investigation, the Integrity Commissioner shall not conduct an investigation, or, where that becomes apparent in the course of investigation, terminate the investigation. In that event, the complainant shall be notified of the Integrity Commissioner's decision in writing.
  - iii. Other than in exceptional circumstances, the Integrity Commissioner will not report to Council on any complaint described in subsections (1) or (2) except as part of an annual or other periodic report.
- e. If the complaint is within the jurisdiction of the Integrity Commissioner and was not dismissed under section 69D(ii), the Integrity Commissioner shall take such steps as the Integrity Commissioner consider appropriate to investigate the complaint and may attempt to settle the complaint.
- f. The Integrity Commissioner shall not issue a report to Council finding a violation of the Code of Conduct on the part of any Council Member unless the Member has had reasonable notice of the basis for the proposed finding and any recommended sanction and an opportunity either in person or in writing to comment on the proposed finding and any



recommended sanction.

- g. The Integrity Commissioner shall report to the complainant and the Council Member upon completion of the Integrity Commissioner's report and no later than 90 days after receiving the complaint.
- h. Where the complaint is substantiated in whole or in part, the Integrity Commissioner shall also report to Council outlining the findings, the terms of any settlement, or recommended corrective action.
- i. Where the complaint is dismissed, other than in exception circumstances, the Integrity Commissioner shall not report to Council except as part of an annual or other periodic report.
- j. If the Integrity Commissioner determines that there has been no contravention of the Code of Conduct or that a contravention occurred although the Council Member took all reasonable measures to prevent it, or that a contravention occurred that was trivial or committed through inadvertence or an error of judgement made in good faith, the Integrity Commissioner shall so state in the report and shall recommend that no penalty be imposed.
- k. Council will consider and respond to the Integrity Commissioner's report at the next regularly scheduled Council meeting following receipt of the report, unless circumstances warrant the report's consideration be deferred to a subsequent regular or special Council meeting.
- l. In responding to the Integrity Commissioner's report, Council may vary a recommendation that it impose a penalty, subject to the Act.
- m. All reports from the Integrity Commissioner to Council, other than annual or other periodic reports, are strictly confidential and shall be considered by Council in camera. Integrity Commissioner reports will be made available to the public only after Council rises and reports on the matter.
- n. The Integrity Commissioner in a report to Council on whether a Council Member has violated the Code of Conduct shall only disclose such matters as in the Integrity Commissioner's opinion are necessary for the purposes of the report.
- o. Any references by the Integrity Commissioner in an annual or other periodic report to Council shall not disclose confidential information that could identify a person concerned.

70. Should any provision of this Bylaw be invalid, then the invalid provision shall be severed and the remainder of this Bylaw shall be maintained.



71. This bylaw comes into force on March 1, 2018.

READ a First time this 26<sup>th</sup> day of June 2017.

READ a Second time this 21<sup>st</sup> day of August 2017.

READ a Third time this 21<sup>st</sup> day of August 2017.

SIGNED AND PASSED this \_\_\_\_ day of \_\_\_\_\_ 2017.

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MAYOR

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CHIEF LEGISLATIVE OFFICER

**POSITION DESCRIPTION (DRAFT)**

POSITION TITLE:	CHIEF ADMINISTRATIVE OFFICER (CAO)
REPORTS TO:	
REVISION DATE:	

**Position Summary**

The Chief Administrative Officer (CAO) is the principal policy advisor to the XXXXX and members of Council and is the sole employee of Council. He/she is the senior administrative leader in the organization, and oversees three senior managers: the Director of Public Works & Infrastructure, the Director of Finance & Administration, the Director of Planning and Development and an Executive Assistant. There are 13 FT staff in the municipality, not including outside workers. The Operating budget is approximately \$7.5M and the Capital budget is approximately \$11.5M.

The CAO oversees all programs, policies and services of the RM and ensures that Council is regularly and promptly updated relative to any significant policy issues which may impact the RM.

**PRIMARY RESPONSIBILITIES**

**1. Policy Advice**

- a. Acts as the primary policy advisor to Council. Ensures that all business issues being presented to Council are accompanied by an administrative analysis and recommendation.
- b. Develops draft policies for the consideration of Council.
- c. Ensures that municipal policies and bylaws are maintained in a current manner.
- d. Ensures that all administrative decisions are in accordance with the policies and directives/resolutions of Council.
- e. Ensures that Council is kept informed on a regular basis relative to key and emerging issues; including any significant changes to personnel, ongoing operations or administrative policies and procedures.
- f. Recommends appropriate action or request ratification for action taken to deal with matters requiring Council approval.

**2. Assistance to Council in Understanding its Governance Role**

- a. Takes all available and prudent steps to ensure that this Council is aware of its role as governors of the RM; provide counsel on any decisions which will aid Council in this regard
- b. Prepares an orientation program and suitable materials for each new Council
- c. Commits to equal treatment/courtesy/assistance for all members of Council

- d. Provides advice on potential areas of conflict/pecuniary issues
- e. Seeks to develop a relationship based on mutual respect, trust and integrity
- f. Ensures access to relevant training programs for Council members
- g. Communicates any issues of concern to Council impacting its relationship to the administration
- h. Works to develop a positive, respectful relationship with the Reeve and other members of Council; ensures that the Reeve is aware of any emerging issues

### **3. Administrative Leadership**

- a. Provides overall leadership to the administration of the RM of Sherwood.
- b. Ensures that all employees are made aware of RM policies, procedures and acceptable managerial/personal behavior.
- c. Chairs regularly scheduled meetings with the management team to review operations; communicate expectations; advise on policy or procedure changes; and to share information of general interest to the team.
- d. Ensures that an agenda is prepared and circulated in advance of management meetings.
- e. Delegates the chairmanship of such meetings when away on a planned absence.

### **4. Strategic Planning**

- a. Assists Council in coordinating a strategic planning process; advises on an appropriate facilitator; participates in the planning process.
- b. Leads the development of a long-range plan for the administrative operation and continued success of the Municipality.
- c. Plans, directs and coordinates the day-to-day activities required to implement the plan and achieve the goals and objectives approved by Council.
- d. Provides Council with a quarterly "report card" communicating progress toward annual and long-term goals, as well as emerging issues or opportunities.
- e. Recommends new initiatives, programs policies and plans for Council discussion and approval.

### **5. Financial Management**

- a. Develops and implements (in conjunction with the Director of Finance and Administration) a process for preparation of annual capital and operating budgets. Ensures that all department heads are involved in the budget process.
- b. Recommends the annual budget to Council.
- c. Monitors, controls and authorizes spending within the limits of the approved budget.
- d. Presents any expenditure in excess of budget or any new budget items, along with supporting documentation, for Council approval.

### **6. Human Resources**

- a. Recruits, develops and evaluates all direct reports. Approves the appointment, demotion, transfer or dismissal of municipal employees.
- b. Recommends an annual compensation plan to Council affecting all employees.

- c. Ensures that the administration is guided by a comprehensive and current personnel policy and budget guidelines.
- d. Ensures the Municipality has a comprehensive human resource management plan to attract, develop and retain qualified staff.
- e. Acts as the administrative leader of any collective bargaining process. Advises Council on its position and a municipal strategy relative to the bargaining approach.

**7. Council Meeting Coordination**

- a. a. Directs the preparation of, and approves, all Council meeting agenda packages. Ensures that issues requiring the attention of Council are brought forward in a timely manner and that all background information or documentation is available to facilitate informed decision-making.
- b. Makes recommendation to Council on all agenda items and reviews agenda with the Reeve, or designate prior to agenda distribution to Council.
- c. Ensures that Council is kept informed on a regular basis relative to key and emerging issues; including any significant changes to personnel, ongoing operations or administrative policies and procedures.
- d. Recommends appropriate action or requests ratification for action taken to deal with matters requiring Council approval.
- e. Attends all meetings of Council or Committee-of-the-Whole, as well as other Committee meetings as appropriate or as designated. Provides information, advice and administrative support as needed.

**8. Coordination of ABCs**

- a. Establishes and maintains an effective working relationship with all agencies, boards and commissions that are established by or which impact the business of the RM.

**9. External Agents of the RM**

- a. Recommends to Council the appointment of legal counsel on an annual or file specific basis.
- b. Instructs the RM's legal counsel to commence, defend or otherwise conduct any legal proceeding in the interest of the RM. Coordinates activities in support of such proceedings and advises Council on progress and costs.
- c. Recommends to Council the appointment of an external auditor. Maintains a working relationship to the auditor. Ensures that the auditor has full access to RM files.
- d. Recommends to Council an appropriate policy with respect to the appointment of any external agents.

**10. Contracting and Tendering Services, Goods**

- a. Recommends to Council a suitable policy for the contracting and tendering of goods and services.
- b. Ensures the system complies with all legislative requirements, by-laws and

- policies of Council.
- c. Reviews and recommends acceptance or rejection of properly submitted tenders, quotations and proposals.
- 11.     **Complaint Management**
  - a. Responds to any complaints from the public and/or delegates as appropriate. Ensures a timely and cooperative response.
- 12.     **Communications Management**
  - a. Coordinates the development of a communications policy and plan and seeks the approval of Council.
  - b. Delegates as appropriate any public enquiries, media requests for information or complaints with regard to department activities, following approved policy and procedure.
  - c. Defers any political questions and commentary to the Reeve.
- 13.     **Community Relationships**
  - a. Maintains a positive profile in the RM as the senior administrative spokesperson and leader.
  - b. Ensures that Council members and the Reeve have access to sound advice on how to engage the public (community communication plan).
  - c. Maintains contact with other administrative leaders in the region and with other key administrative leaders throughout the Province.
  - d. Develops a positive/constructive rapport with media.
  - e. Ensures the development of an administrative protocol with respect to the development of courteous relationships with the public.
- 14.     **Governmental Relationships**
  - a. Coordinates the development of a policy and plan on governmental relations and seeks the approval of Council.
  - b. Establishes and maintains positive relationships at the administrative level with Federal or Provincial government departments and neighboring municipalities with respect to matters of interest to the RM.
- 15.     **Legal Obligations**
  - a. Fulfills all obligations of the Municipalities Act and other relevant legislation. Delegates as appropriate.
- 16.     **Other Duties**
- 17.     Performs other related duties as may be requested by Council.

**Skills & Attributes Overview**

The CAO is expected to demonstrate the following competencies and behaviours in order to successfully meet the requirements of the position:

- A consistent awareness of who is the customer, both internal and external, and recognition of the customer’s needs at all times.

- Proven interpersonal skills, and the ability to work and communicate effectively with elected officials, government bureaucrats, business and industry leaders, and the general public.
- Support a team approach, lead by example, and portray considerable presence and energy.
- Ability to analyze the municipality’s competitive position, including its strengths and weaknesses and promote it in a positive light. Have ability to think “outside of the box”.
- Solid experience or understanding of budgeting, finance and information reporting.
- Ability to provide executive leadership to all strategic planning initiatives.
- Ability to provide guidance, support and mentoring of staff for succession planning purposes.
- Strong skills in motivating others and creating a shared purpose. A “can-do” attitude.
- Is an advocate of “giving back” to the community and always represents the RM in a professional manner.
- Makes difficult decisions and has the confidence required to stand behind those decisions.
- Knows and understands legislative and regulatory processes and possesses an intuitive ability to read the political implications of recommendations and actions.
- Ability to work within a changing environment and deal effectively with ambiguity.
- Unimpeachable ethical standards, confidentiality and personal integrity. Honest, transparent, and trustworthy.

<b>Education &amp; Experience Overview</b>
--

Possesses the following, or an acceptable combination focused on administrative leadership:

- University or Community College degree in business administration, commerce, engineering, planning or a related field preferred.
- Eight to ten years of progressively more responsible experience in a municipal environment.
- Demonstrated knowledge of the Saskatchewan Municipalities Act and related statutes would be an asset.
- Practical knowledge and experience in computer systems for business applications.
- At the discretion of Council, a combination of related course work and experience may be deemed suitable.

**RM of \_\_\_\_\_**  
**CAO Recruitment Policy**

**The Issue**

The well-being of RM of \_\_\_\_\_ rests upon the capacity that it has to govern effectively and to deliver effective, efficient and desired services. This capacity relies upon, in some measure, the ability of the RM to ensure that it has identified and recruited a quality administrative leader to provide guidance and direction to the administrative organization in a manner which reflects the decisions and philosophy of the Council.

It is incumbent upon this and every Council to have a policy and plan in place so that whenever a vacancy does arise in this extremely important role, that a strategy is in place to fill the position temporarily (a succession plan) and on a permanent basis (a succession/recruitment plan). As such the issues identified herein speak to the need of Council to provide policy leadership in this regard and to put in place a recruitment plan that will enable Council to act in a professional and expeditious manner whenever a vacancy in the position of CAO does occur.

Council is committed to taking whatever steps are deemed necessary to ensure that this organization always benefits from the capable leadership that ought to be afforded by a competent, experienced and responsive chief administrative officer.

**Mission & Vision**

XXXX

**Vision**

XXXX

**Core Values**

- XXXX

**Core Business**

- *Servicing the needs of the people through local municipal services*

- ❑ *making and enforcing laws*
- ❑ *being responsible stewards of taxpayers' money*
- ❑ *providing long-term viability for our RM*
- ❑ *facilitating public input*
- ❑ *fulfilling the requirements of provincial legislation*

### **Definition**

Recruitment pertains to the search and selection process utilized in locating an individual for a vacant position in the organization. It combines a series of approaches that work in a linked fashion such that potentially qualified and interested candidates are identified, reviewed, interviewed, referenced checked and assessed by the recruitment firm/agent prior to being placed before Council as potential candidates for the position of chief administrative officer.

Recruitment also refers to the process whereby Council interviews all short-listed candidates and determines which one is likely to best meet the needs of the community and organization for the foreseeable future. It includes the offer made to the successful candidate and an employment agreement being entered into with that person.

### **Related Strategic Goals**

**XXXX**

### **Related Organizational Goals**

- ❑ *To ensure that the comprehensive human resource needs of the organization are consistently being identified and addressed*
- ❑ *To update the human resource needs on a regular basis*
- ❑ *To identify internal candidates for possible promotion into more senior level positions*
- ❑ *To ensure that the organization consistently identifies training opportunities that enhance our ability to develop such candidates*

### **RM of Sherwood Council Policy**



The Council of the RM of \_\_\_\_\_ believes in the importance of its employees to the welfare of its citizens. Council understands that our employees are essential to enabling our citizens to enjoy this RM and its many benefits, including all of the services rendered by the RM. Council's values include: effective leadership and long term planning. These both speak to the need to ensure that we are properly administered and guided and that our services are effectively and efficiently rendered. Our core businesses (see above) also speak to the importance that we place on quality people providing first rate service.

The Council respects the authority it has vested in its Chief Administrative Officer (CAO) and thus realizes that Council guides the organization through the CAO. As a result, Council is responsible for ensuring that it has a plan in place to ensure an orderly transition from one CAO to another whenever that needs arises. Our Succession Plan is based on our desire that the organization continue to function in a responsive manner despite any changes in our administrative leadership and particularly during a transition period, when we are in the process of recruiting a new CAO. Council's Succession Policy is that it will ensure that an interim CAO is appointed in the absence of our CAO and that our succession plan is followed; that Council is afforded the time and resources necessary to ensure that the best candidate for any vacancy CAO position is identified; and that the future needs and aspirations of the RM as Council understands these to be will be a part of any decision as to a replacement for the outgoing CAO.

***Council's Recruitment Policy is as follows: "The RM of \_\_\_\_\_ Council will always ensure that if affords both the RM and the organization the best possible administrative leadership possible by recruiting to this position someone who has the experience, talent, competencies and style necessary to handle the position responsibilities in a professional, competent fashion. The RM will consider both internal and external candidates as its focus is not on promoting the best but finding the best. Such a person may or may not be currently working for the organization.***

***As the Recruitment Plan indicates, Council will always consider using the resources of an experienced search consultant in locating quality candidates. As a Council we will do our best with or without the help of an external recruitment agent to find that person who best meets the identified needs of the community on a "go forward" basis".***

#### **Linkage to Other Council Documents**

This Recruitment Policy is but one of a series of inter-linked policies and strategies that will ensure that RM of \_\_\_\_\_ continues to be recognized as an "employer of choice". This Policy is also directly linked to *Council's succession policy (see Policy #xxxx)*, succession plan and recruitment plan for the position of CAO.

## **Terms of Reference for the Governance & Priorities Committee**

The following are proposed as the appropriate terms of reference for the GPC.

The GPC may:

- Hear from delegations and/or refer these on to Council
- Review matters forwarded to it by the CAO or by Council
- Consider matters placed on the agenda by the CAO, by other members of Council (as determined by a resolution of Council). Ensure that all such matters are referred to the CAO for a report
- Refer any matter on to a regular meeting of Council which is not the subject of current policy (including new statements of policy)
- Review reports or minutes from external boards and committees so that there is some degree of consistency as to how each is treated by the Council
- Meet publicly at a time which is deemed by a majority of Council as acceptable to most members of the public; meet on the alternate weeks to that of regular Council meetings
- May determine to meet in-camera on a vote of the committee at the conclusion of a meeting; in-camera matters are limited as per the legislation
- Meet principally as a forum for discussion rather than as a decision-making arena; enables all of Council to review and discuss key issues without the requirement to decide
- May refer an item to the CAO for more information or clarification but must move the issue forward to Council for its consideration and decision upon receipt of the clarifying information (in other words, the referral process if used is intended to be limited on a normal basis to two weeks)

### **Principles of Operation (Governance & Priorities Committee)**

- ✚ That with the exception of any emergency issues brought to the attention of Council by the CAO, new policy issues will be considered by the GPC prior to consideration by Council

- ✚ That any member of Council may request a matter to be discussed at a GPC meeting and by motion of Council the item may be added to the agenda of the next scheduled meeting
- ✚ That the GPC meeting will be advisory in nature (unless otherwise designated by Council) with recommendations forwarded to Council
- ✚ That the CAO has the liberty to re-draft items submitted by the administration for Council approval based on the feedback received at a GPC meeting
- ✚ That the public has the right to attend any portion of the GPC meeting with the exception of any portion wherein the Committee decides on a majority vote to go in camera
- ✚ That the agenda items be circulated to all members of Council as per the terms of the Procedure Bylaw
- ✚ That the GPC meet no less than once every 2 weeks except during the July, August and December when the GPC may stand adjourned except to meet at the call of the Mayor
- ✚ That the GPC meetings will be chaired by the Mayor unless the Mayor designates otherwise
- ✚ ABCs (agencies, boards or committees) and/or Council-appointed task forces and public advisory committees will report direct to the GPC who may, in turn, refer their report with a recommendation to Council or may refer the matter to the CAO for comment prior to dealing with the report and or minutes
- ✚ Requests by delegations will be reviewed by the CAO and Clerk, who will determine whether or not the delegation should be heard by the GPC or by Council at its next regularly scheduled meeting; all delegations must comply with the provisions of the Procedure Bylaw with regard to providing briefing materials to Council in advance of any meeting with Council (or one of its Committees)

**Advisor**

The principal advisor to the Governance & Priorities Committee is the CAO. Whether or not other management (or other staff) is in attendance is the prerogative of the CAO.

**Reports**

Final reports or recommended actions should be placed on the agenda of the regular Council meeting and be subject to the discussion and debate of the Council at that time. We view the regular Council meeting as the principal decision-making forum of any municipality. This is where the major issues of the day need to be aired, debated and decided. As a result, the regular meetings of Council are recognized as the forum for decision-making.

**Appointment of the Chair**

Such meetings should be chaired by the Mayor (unless the Mayor chooses otherwise). There is some logic in having someone other than the Mayor chair this Committee but also a downside in terms of the public's assumption of the leadership role of the Mayor. We prefer granting the decision-making authority in terms of this decision to the Mayor.

**Quorum**

A quorum for a meeting of the GPC should be those members present at a regularly scheduled meeting.

**Role of the Administration**

The primary role of the CAO as always is to act as the policy advisor to Council and to ensure that Council has access to well-rounded information that adds to Council's understanding of the issues. During a GPC meeting, the CAO should be engaged frequently by Council in terms of responding to questions or by directing the questions of the Councillors to other appropriate members of his administration.

When a topic is opened by the Mayor to the table (i.e. to the rest of Council in attendance) for its discussion, the best approach would be for the Mayor to ask the CAO if he had any additional or new information to add prior to opening the floor to members of Council (or even to the public). The CAO may then re-direct the question to the senior staff member most impacted by the topic or under whose jurisdiction the topic fits. Providing that it is always deemed acceptable for the CAO to intervene in an administrative presentation, once he has deferred in his initial remarks to a department head, the members of Council should be permitted to continue their questions to that individual. (This is a departure from the protocol at a regular

meeting of Council where members should be asked to direct all questions of administration to the CAO).

### **Seating of the Administration**

As we discussed with Council, we continue to believe that even though this GPC meeting is intended to be more informal than a regular meeting of Council, the CAO and his staff who are present should sit at a table set apart from members of Council. This distinction is useful in order to maintain the perceived separateness of roles in the eyes of the public and of Council.

### **Administrative Review of Agenda Issues**

While the agenda and tone of a GPC meeting is not as formal as that of a regular meeting, the quality of any debate will depend on the quality of the input. This requires that the CAO and his department heads as appropriate establish their own timeline such that a meeting of the senior management team (SMT) occurs several days prior to a GPC meeting in order that the SMT can review/discuss the issues from individual departments that are proposed to go forward to GPC.

The key for the CAO and his SMT is to keep the focus on the broader and more strategic issues. The key determinants of whether or not an issue goes forward to the GPC meeting should incorporate consideration of:

- ✚ Is this a matter that we require Council's endorsement of?
- ✚ Is this a matter of a new or a revised policy?
- ✚ Does the issue have broad community significance?
- ✚ Is this an issue that it can be reasonably argued that Council would expect to see and provide direction to even though it may be within the parameters given to the CAO to act?

# Performance Appraisal of the Chief Administrative Officer for the District of \_\_\_\_\_

Name of CAO: \_\_\_\_\_

Date Appointed to Position: \_\_\_\_\_

Date of Appraisal Meeting: \_\_\_\_\_

Current Salary: \_\_\_\_\_

Date of Last Revision: \_\_\_\_\_

## ***Purpose of a Performance Evaluation Process***

This performance evaluation of the CAO is a valued instrument of this Council and is used in order to:

- ✚ Underline the importance which the Council places on its relationship to CAO
- ✚ Ensure that both the Council and CAO understand essential components/competencies of this position
- ✚ Provide a balanced format that is deemed acceptable and useful to both parties and one that serves the purpose of outlining requirements and ensuring sound and regular feedback
- ✚ Provide the CAO with a forum for outlining and discussing his annual objectives and an assessment of the results

- ✚ Establish any needed changes in the criteria for future evaluations.

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### ***Performance Evaluation Content***

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A review of the CAO's performance should embrace a number of areas. These include the following:

- ✚ Assistance to Council in understanding its governance role
- ✚ Relationship building with the Mayor
- ✚ Policy advice and leadership on the key issues
- ✚ Fiscal management
- ✚ Leadership of the administrative team
- ✚ Team selection, assessment, training, mentoring
- ✚ Development of community relationships
- ✚ Accomplishment of goals
- ✚ Areas for improvement

### **Guidance to Performance Assessment Factors**

Rate each factor according to your perception of the performance of the CAO in the past year.

Please provide narrative comments or examples to illustrate, if possible.

#### **RATING CRITERIA:**

1. Outstanding
2. Above Standard
3. Standard
4. Below Standard

#### **✚ 1. Assistance to Council in understanding its governance role**

- a) Taking all available and prudent steps to ensure that this Council is aware of its role as governors of the system*
- b) Preparing an orientation program and suitable materials for a new Council*
- c) Identifying the needs/priorities of this Council*
- d) Committing to equal treatment/courtesy/assistance*
- e) Providing advice on potential areas of conflict/pecuniary issues*



- f) Seeking to develop a relationship based on mutual respect, trust and integrity*
- g) Ensuring access to relevant training programs for Council members*
- h) Being responsive to the feedback and input received from members of Council*
- i) Communicating advice to Council that will assist it in its governance responsibilities*
- j) Communicating any issues of concern to Council impacting its relationship to the administration*
- k) Monitoring legal implications of issues; being aware of Council 's legal and legislative requirements*
- l) Ensuring ready access to useful policy-based information*
- m) Maintaining appropriate boundaries; assuring equal treatment*
- n) Providing quality control on advice going forward*
- o) Ensuring an ongoing degree of open communication with Council; presenting reasonable and professional views in a straight-forward yet pleasant manner.*

Rating: \_\_\_\_\_

Comments:

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## **2. Relationship building with the Mayor**

- a) Meeting with new Mayor immediately following election*
- b) Identifying concerns of the Mayor; addressing his/her expectations, style and needs issues*

- c) Ensuring the apolitical nature of the relationship clear (including no personal connection to outgoing Mayor )*
- d) Identifying areas of potential overlap & strategies to address*
- e) Ensuring Mayor prepared for any engagements/speeches*
- f) Ongoing briefings and meetings held on scheduled basis*

Rating: \_\_\_\_\_

Comments:

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### **3. Policy advice & leadership on the key issues**

- a) Assistance in identifying key issues; offering strategic advice addressing such issues*
- b) Ensuring both Council and administration aware of importance of policy development*
- c) Providing quality advice and guidance to Council on identified issues*
- d) Coordination and preparation of draft policy statements*
- e) Strength of administrative leadership as observed in terms of the CAO's decision-making ability (e.g. decisiveness, quality of decisions)*
- f) Advice to Council on importance of strategic planning as a leadership tool; assistance to Council in planning/designing a strategic planning session*
- g) Implementing approved policy; monitoring policy implications*
- h) Review/monitoring of financial controls/audit reports/business plan and budget*

Rating: \_\_\_\_\_

Comments:

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**4. Fiscal management**

- a) Ensuring the development of a comprehensive, inclusive and transparent process of business planning and budgeting*
- b) Ensuring that Council provides guidance to the administration in the development of both plans and budgets*
- c) Providing Council with accurate, comprehensive advice on the current status of the fiscal condition of the Municipality*
- d) Advising Council on the status of any changes required by the external auditor; acting promptly on audit recommendations*

Rating: \_\_\_\_\_

Comments:

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**5. Leadership of the administrative team**

- a) Providing ongoing, consistent leadership to department heads and through them to the full administration*
- b) Communicating effectively and regularly; providing ongoing guidance/direction*
- c) Making administrative decisions within constraints of bylaw/policies*
- d) Providing inspiration and modeling of a desire to be the best*
- e) Delegating/empowering within reasonable limits*
- f) Supervising direct reports and expecting results*
- g) Disciplining behavior and correcting promptly*
- h) Ensuring sound corporate communications plan*

*i) Ensuring that senior staff are involved in the process of developing Municipality goals and priorities; providing a forum for Council and senior staff to engage in discussions relative to the Municipality's strategic plan*

Rating: \_\_\_\_\_

Comments:

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**6. Discharge of all legislative and bylaw requirements**

- a) Determining changes to the organizational structure*
- b) Continually assessing the needs of the system; seeking the advice of senior staff in this process*
- c) Developing a sound policy-based and cross-organizational approach to recruitment & selection*
- d) Ensuring a planned approach to training/development*
- e) Attending suitable conferences/courses as an example*
- f) Establishing mechanisms for mentoring other supervisory staff*
- g) Fulfilling all Act and bylaw requirements*

Rating: \_\_\_\_\_

Comments:

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**7. Development of community relationships**

- a) Maintaining a positive profile in the Municipality of XXXX's jurisdiction as the senior administrative spokesperson and leader*
- b) Ensuring that Council members and the Mayor have access to sound advice on how to engage the public (community communication plan)*

- c) Maintaining contact with other administrative leaders in the region and with other key administrative leaders throughout the State/Province*
- d) Developing a positive/constructive rapport with media*
- e) Ensuring the development of administrative protocol to develop courteous relationships with the public*

Rating: \_\_\_\_\_

Comments:

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### **Annual Objectives/Key Results**

These should be developed by the CAO and reviewed with the Mayor and Council.

<b>Key Objectives</b>	<b>Key Results</b>

Overall impression of performance and results achieved.

**Accomplishment of Goals**

Comments:

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**Areas for Improvement** (Rank in order of importance)

**1.** *Assistance in the Council's governance processes*

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**2.** *Relationship building with the Mayor*

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**3.** *Policy advice & leadership on the key issues*

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**4.** *Fiscal management*

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**5.** *Leadership to the administrative team*

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**6.** *Discharge of all legal/ordinance requirements*

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**7.** *Development of community relationships*

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**Subjective Factors**

This section encourages members of Council to reflect on whether or not they have confidence in the CAO to carry out his/her role and responsibilities. You are asked to comment on whether or not you respect and trust the CAO: is he/she a person you trust whether or not you agree with their reports all of the time or just some of the time. Does he/she keep their word? Do they do as they say they will do? Do you think the CAO is respected by his/her colleagues?

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**Follow-Up**

Indicate those measures or steps which should be taken by the CAO over the course of the next appraisal period to improve his/her performance, e.g. types of external or internal development courses/seminars, changes in management practices, etc.

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**Sign Off**

Signatures of the Mayor and CAO to indicate completion of the process

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Signature of the CAO

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Signature of Mayor (or designate)

Date

## Request for Decision (RFD)

Meeting:

Meeting Date:

RFD Originated By:

Topic/Issue:

### **A) The Proposal:**

What is the essence of what is being proposed? Why is this important for the senior management team (SMT) to review; for the CAO to agree; for the Council to approve? What would justify this being beyond the authority of the CAO to respond?

### **B) Governance Implications:**

What are the policy consequences or impacts of this decision? What new policy is being recommended? What current policy is being set aside if we go in this direction?

### **C) Background To The Proposal:**

What are the key preceding events? Has Council seen the issue previously? What gives rise to this being placed before Council?

### **D) Discussion / Options / Benefits / Disadvantages:**

What are the key options in terms of action? The County can stay with the status quo (option a) which is...? The County can proceed with option b, c, d...which are and which result in...

The advantages and disadvantages from the perspective of senior management are???



**E) Costs / Source Of Funding (If Applicable):**

**F) Impact on Citizens, Local Businesses**

**G) Impact On Staff Resources:**

**H) Impact On Approved Business Plan:**

**I) Recommended Action:**

That the Council accepts the proposal of the CAO/senior management team (SMT). This proposed course of action has been identified as Option XXX which succinctly stated is as follows:

**J) Additional Background Information:**

There is a file of background information which Council members have access to relative to this report. The executive summary of that information is attached hereto. Additional information can be accessed by following this link:

**K) ADDED COMMENTS BY CAO (as applicable):**

Initials show support -	Initiator: _____
Approved by:	Department Head: _____
	CAO: _____
	Date: _____

## **The Roles of a Council**

It seems to me that there are certain key and lasting roles that a municipal (and regional) Council is expected to fulfill. These are generally referenced in the legislation of each Province and are for the most part quite similar. The simple answer to the question: “what is my role as a member of Council” could be “read the legislation!” That unfortunately is not sufficient not simply because the language of any legislation is written in legalese but because the descriptors are not sufficiently broad so as to fully describe the various roles which seem to be expected of a Councillor on an ongoing basis. There are certain basics however and these are described as follows:

### **Key Roles**

#### **1. Lead**

It is often over-looked but one of the principal roles of a Council is to lead. It is not enough to just respond: a Council must be able to identify opportunities and issues and articulate how it will address them. Leadership is not found in baptizing bylaws prepared by the Planning Department. It is not found in responding to a budget presentation without first having thought through what Council’s key priorities are for the coming year. It is not found in blindly approving the minutes of this or that committee. It might be found in determining whether or not the committee is still needed. A Council leads by pointing a direction, a course of action, a new initiative. It leads by taking a position on a difficult political issue. It leads by running against the winds of popularity, not simply going with the flow.

#### **2. Representation**

A primary task of any Council is to act as the ears, eyes and voice of those he/she represents. This is not accomplished by sitting in Chambers alongside the other members of Council, convincing one another of your importance. Nor is it accomplished by reading background reports on this or that issue. Representation occurs when your voice is heard speaking out on behalf of a community interest that you have researched, that you have visited or where you have met with representatives of the cause. Representation also occurs when you deliberately (i.e. not casually) think about how

your citizens would expect you to handle an issue or a challenge. What would the majority of them say if they were all in the room? Are their best interests being reflected in what you believe or have you become so immersed with a particular faction or vested interest group that the voice of common folks has been muted?

### **3. Resolve Issues; Pass Judgment**

Being on a Council is not at times a very popular thing. Decisions need to be made; choices may result in those viewed as losing as well as winners. A budget needs to be produced and a tax rate established. Costs will likely have gone up and with that unless the assessment base has responded favourably, so too will taxes. Projects will be presented by the various departments: all will look appealing. Not all will be funded. Being an architect of disappointment is not something many Councillors see as something they foresaw as part of the new job description.

### **4. Fiduciary Leadership (Business Plan and Budget)**

Every Council has an obligation to ensure that proper budgeting and financial management occur; that a business plan is created; that organizational goals and priorities are established; that a realistic budget is approved for funding all civic services; that sources from other levels of government are requested and applied as required. While none of these are particularly exciting to most members of Council, they do represent the core of what any Council is elected to do: provide necessary and desired services and make sure they are adequately funded.

### **5. Set Priorities**

In order to effectively guide the City and to make use of the budget dollars effectively, the Council must understand its own priorities and determine how the budget ought to reflect those. This requires that each Council develop some mechanism to discuss and debate the key issues and challenges of the day and then determine what is on first base, second and so on. This process is generally described in the literature and by practice as “strategic planning” or “business planning” and indeed is both. On the one hand, the Council needs to determine where it hopes to position the City in the longer

term and secondly, what that vision suggests in terms of how to approach the budget choices faced this year.

More and more communities across Canada have adopted some system of strategic planning not as a “checklist” of what to do but rather as the foundation upon which to base good long and short term decisions. This ensures that the budget for each year is considered well in advance of the year to which the budget applies so that the best use is made of scarce and public resources. Further, given that there are always competing priorities within every organization, a plan is useful in determining which of those priorities are thought to be of a higher order than the others. This is a decision to be made by the elected officials.

## **6. Stewardship**

The role of a Council has often been described as that of a steward. That is, one of the fundamental principles of a local governing body is that it will ensure that the resources of the City are being utilized wisely and in accordance with the budget and Business Plan as well as any policies and procedures which may apply. Ensuring that Council has made the best use of resources requires that it:

- Identify clearly “what business we are in”
- Ensure that there are clear lines of delineation with respect to what business unit delivers what service
- Establish clear policies relating to the recruitment and treatment of personnel
- Identify potential risks in the use by the public of municipality-owned facilities and equipment
- Establish a comprehensive tender policy and procedures
- Identify potential suppliers of goods and services.

## **7. Policy Guidance**

Unless a Council wants to be involved in re-visiting every issue on a regular and often frequent basis, policies need to be approved which give license to management to get on with the business of service delivery. Decisions which are major or repetitive or both should be the subject of a Council policy. Establishing a policy mindset is needed in

every Council Chambers and is not necessarily something that comes naturally to any governing body.

In addition to a strategic plan, each municipal organization ought to be governed by a clear set of policies. The business of managing the City's responsibilities is that of the management and their employees. How that business is managed is determined by legislation in terms of minimum requirements in certain fields of endeavour and by policy of Council. Policies set out "what" is to be done. The "how" it is to be accomplished is determined by regulations and by managerial direction.

A Council needs to be in the business of asking "what is our policy on this matter?" As the policy-making authority, Council needs to understand the policy framework. Council can only do this if it clearly recognizes the issues; understands its own sense of what is best for the County; seeks input on the key issues; and is prepared to stand firm on what it believes to be the right course.

The decisions of a Council effectively become the policies of it. That is, whether the Council decides by way of resolution or by bylaw, its decisions taken together, constitute the "policy bank" of the City. While policies should preferably be presented to Council according to a set format, the key to an effective Council is the recognition that its decisions become the standard upon which the administration functions and makes decisions.

### **8. Delegate to Management**

There is an obligation in the legislation for a Council to delegate the implementation of its policies to its chief administrative officer (CAO). The CAO plays the primary role in acting as the link-pin between Council as the policy-makers and the staff as the administrators of those policies. The CAO is viewed as the Council's chief policy advisor and as the person responsible for ensuring that the decisions of the Council are effectively discharged. Thus, all advice to Council from all departments is to be directed through the office of the CAO so that Council can be confident that the breadth of the County's business priorities and policies has been respected and reflected in the advice. That is the CAO acts as the advocate for the advice and opinions of the administration and ensures that the Council has the full picture of all salient points in

any decision. Once Council has determined the direction to be taken from a policy perspective, the CAO is charged with ensuring that his administration implements those policies based on Council's directives.

Problems are encountered when those who are elected attempt to replicate the work of those administering and vice versa. Roles must be clearly articulated and well-understood. The mandate of a Council is never properly discharged wherein the Council determines to do the work of the staff members. Council's time needs to be spent on establishing what it wants to see accomplished and within what level of resources. This requires that choices be made between various alternatives all of which might seem to be valid. Those elected are thus faced with the unenviable task of determining which choice is best given the circumstances and the resources available. Such choices should never be made solely by the Council. They are best made when the Council expects the administration to weigh in with their advice based on their training and their experience in this County. While the various options may appear to have at least some merit, it is the duty of Council to make its determination based on what it believes to be best for the majority of its residents. Leadership is all about making difficult choices in an often stressful environment.

## **9. Determining What Gets Funded**

While some of what every municipality does is required by legislation, there are also aspects of any municipal budget which are discretionary (i.e. up to each Council to decide "do we fund this service or not?"). Each Council should be examining their annual budget on that basis rather than presuming that next year will be a repeat of last year. The funding approved by a Council authorizes the administration to deliver the services. Council is accountable as a result for both the policy choices to fund certain services and the delivery of those funding choices on a day to day basis by its administration.

## **10. Monitoring Results**

This is an area which has not historically been well-handled by local governments across this country or elsewhere. Partly that is due to other issues being considered more

important at the moment or more profitable from a public reception standpoint, and partly this is due to the absence of good measurement tools which are simple to use and quick to provide results. Regardless of the rationale, the public should expect to hear from its Council what the elected officials see as working really well and what programs or services might need to be re-thought.

Critical to difficult decisions being acceptable to the majority of the public is the process used to make such choices. A Council which recognizes the need to adopt a step-by-step process of decision-making will note that it has more confidence that its decisions will more often than not be in accordance with the wishes of the “community”. Inappropriate decisions often result from hasty actions or requests presented to Council at the last minute and without sufficient administrative analysis or recommendation as to the potential implications to the City as a whole.

# Roles of a Chief Administrative Officer

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## **Roles of the Chief Administrative Officer**

Most municipalities across Canada recognize that there are two significantly different yet fundamental roles in local government: one is that of the Council who are elected to represent the public, set direction, approve policies and guide the organization. The second fundamental role is that performed by the administration. Its responsibilities include that of advising the Council, taking direction from the Council, delivering Council-approved services and overseeing the work being done to ensure that it is being delivered effectively and expediently.

These roles are distinct and both are critical to the success of the municipality. The elected officials are responsible to ensure that their roles are acted upon within the parameters established by legislation. The effective discharge of the administrative functions rests with the Chief Administrative Officer (CAO).

## **Legislative Legitimacy**

The Municipal Act of each Province generally sets out the expected roles of the CAO from a legislative perspective. These are both general (i.e. exercising control and management of the affairs of the municipality...) and specific (retaining control of the corporate seal, etc). In most instances, the CAO is described as the chief policy advisor to Council and the person responsible for the management of all personnel.

The appointment of a CAO is due to a number of factors:

- Council is expected to govern not manage the corporation
- The County's manager (CAO) is equipped to advise based on experience in similar settings, based on training, based on access to others in the field
- A CAO is expected to oversee department heads, to resolve disputes between departments which inevitably arise, to ensure Council's directions are being followed, to groom possible successors, to ensure fairness in policy application
- A CAO is responsible for ensuring that Council has the best apolitical advice and not to follow the preferences of one or more Councillors
- A CAO oversees the prompt and effective implementation of Council decisions regardless of administrative input
- CAO acts as the final administrative arbiter on administrative questions; he does so apolitically



## Roles of a Chief Administrative Officer

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- A CAO builds relationships with other senior administrative leaders in the region and across the Province
- A CAO acts as a check on the powers of the Mayor; without such balance the political views/preferences of the Mayor may trump administrative judgment
- A CAO is not likely to allow department heads to play the game of “you leave my reports alone and I’ll return the favour”
- A CAO may not be well loved by all department heads; some may not enjoy the accountability principle of “one over”.

It is our view that as the administrative head, the CAO will:

- Be recognized as THE key policy advisor to Council and its main linkage to the organization
- Be viewed by the Mayor as his primary linkage to the organization and as the person who is in touch regularly providing updates on what is happening and on what issues the Mayor needs to be updated
- Be the first person at the microphone introducing the key agenda issues to the Council or the committee of the whole given that the CAO will want to ensure that all of Council understands that it is he who is their primary spokesperson relative to issues coming to Council from the administration
- Ensure that the services of the organization are clearly defined and are in concert with the expectations of Council (and thus the residents)
- Develop an organization structure which allocates staff to the required functions/service areas and, if necessary, recommend this structure to Council for its approval
- Ensure that the structure is current and clearly defined
- Create position descriptions which reflect actual and current duties to be provided by each of the personnel (while recognizing that this duty might be delegated to the head of Human Resources who will be expected to follow the guidance of the CAO)
- Empower the supervisory staff to take action on their areas of responsibility
- Provide ample support for staff in the face of any criticism from the public or from the Council; take corrective action vis-à-vis poor performance where that is justified

## Roles of a Chief Administrative Officer

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- Coordinate the efforts of the administration through regular meetings with the department heads (i.e. SMT); ensure that they are meeting regularly with their own staff and communicating issues/plans and discussing/resolving problems
- Provide performance feedback on a regular basis to those staff reporting directly to the CAO
- Encourage ongoing and relevant training for senior staff (and through them for the other members of the administration)
- Ensure that the compensation plan and personnel policies are appropriate and fair for all employees
- Defend the work and attitudes of the senior management to the Council (wherever that is necessary).

### **Relationship to Council and the Mayor**

The CAO has a major role in acting as the administrative head of the system. This implies full accountability for the actions of subordinates who are to receive their guidance from the CAO. Regardless of how the work is delegated and who has the lead responsibility for a particular file, the accountability rests with the CAO. He is to account to Council for how the County is being managed and how the resources of the County are being utilized. When mistakes are made, it behoves the CAO to report quickly, accurately and comprehensively to Council on what went wrong and why. While having a remedial plan to put in place is also important, it does not replace the need for full honesty and accountability.

The CAO reports as administrative head to the Council. He is Council's primary linkage to the administration. Information to Council should flow up through the CAO's office and the decisions of Council are expected to flow downward through the CAO's office. This is the expected reporting relationship.

Just as the CAO is the leader and thus spokesperson for the administration, so too is the Mayor on behalf of the Council. The Mayor conveys the messages of Council through the CAO to the other senior staff. He does not do so directly as that would undermine the relationship which the CAO is to have with his senior managers.

While the CAO may develop a somewhat closer relationship to the Mayor as chief elected officer, and while the Mayor may be a very strong and capable leader, this closer relationship should never be allowed to supplant the legislated relationship which the CAO is to have to Council as a whole.

It is important to remember that the administration is to report through the CAO to the Council as a whole. That is, the fact that one Councillor requests a certain action does not mean that the administration should respond as requested. Where the CAO

## Roles of a Chief Administrative Officer

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has any uncertainty as to whether the request reflects present Council policy, it should be referred to a regular meeting of Council or to a committee of the whole meeting to ascertain the direction of the Council.

### **Relationship to the Administration**

As CAO, one of the principal functions is to provide both a directing and coordinating role vis-à-vis other staff. The CAO is to be responsible for the functions and activities carried out by subordinate staff with particular emphasis on the department heads. It is also up to the CAO to draw out of the senior staff the best that they are capable of producing in terms of policy advice to be presented to Council and their ability to coordinate and direct their own staff. This necessitates a close working relationship and the ability to perceive individual strengths and needs. It also requires a spirit of empowerment whereby the CAO is able to assure his team that he is confident in their individual and collective abilities to represent themselves with confidence knowing that he will back-stop their efforts.

Obviously, the work of the organization does not depend solely on the abilities of the CAO. If the CAO is to be successful, he must attract and develop a team of professionals around him who are equally competent albeit perhaps in differing fields of expertise. This team (called the SMT here in Huron County) has the responsibility to oversee their departments and ensure that the will of Council is being followed.

### **CAO's Performance Review**

In conducting a performance review of the CAO (which ought to be done of course by Council as a whole) Council will need to assess the following key elements of the CAO's functions:

- Quality of the policy advice provided to Council
- Assurance that such advice is always apolitical
- Quality of the CAO's relationship to the Mayor
- Quality of the CAO's relationship to all members of Council
- Effectiveness of the CAO's leadership of the senior management team both collectively and individually
- Assessment of the CAO's capacity to manage in a team environment; to make tough decisions; to discipline where necessary; to motivate; to anticipate the Council; to encourage respect for all members of Council
- The CAO's ability to guide the County's budget process and to stand behind the proposed budget.

### **The CAO and the Senior Management Team (SMT)**

## Roles of a Chief Administrative Officer

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The SMT has various responsibilities, some of which have been summarized in the roles of the CAO. These pertain to:

- Identifying new policy initiatives
- Providing advice on current and new programs
- Ensuring the effective implementation of Council's will
- Maintaining an awareness of Council and corporate priorities
- Assisting the CAO in providing both policy and administrative leadership
- Monitoring the work of their own subordinate employees; providing support and encouragement as well as expert advice as appropriate
- Recruiting senior employees; ensuring that credentials are sound
- Providing orientation to key responsibilities and an introduction to the organization
- Staying current with developments in their field(s) of expertise; making a contribution to their profession
- Developing business plans and budgets; assisting subordinate employees who have been asked for their input
- Engaging the public in meaningful and respectful ways.
- Establishing a tone of ethical behaviour and ensuring that their direct reports model such behaviour.

The relationship of the CAO to this body is quite unique. He is their team leader and yet also their boss. He can help them achieve their corporate as well as personal goals and yet might also be a roadblock to their aspirations in terms of growth of their departments. He has to act as the key linkage to Council and advise Council of the advice of his departments and yet be able to argue the response of Council back to his SMT. He is Council's representative to management and the rest of the organization and the organization's representative to Council. His multi-tiered hat is difficult to balance and wear! The CAO is not, however, the mouthpiece of the management. He has to be able to hold each SMT member to account for their personal behaviour and to provide direction and feedback on their performance as necessary. This may require from time to time a note of reprimand or a word of caution or in fact a decision to terminate the contract of one of his trusted allies. As a result, the CAO cannot afford to befriend his SMT members given that there has to be some distance in the relationship to ensure a profile of no bias when it comes time to appraise or discipline.

### 3.2.2 Legislative Requirements

Section 224 of the Municipal Act, 2001 states that the roles of Council are as follows:

*“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.”*

The Council has significant responsibilities which only it can discharge. Its primary duty is to *“represent the public and to consider the well-being and interests of the municipality”*. This is an onerous obligation and not easily discharged. This requires a Council to see the broader picture and to consider all issues from a perspective of “what is in the best interests of all?” In the case of a County Council this requirement is very difficult to uphold given that each Council member represents another jurisdiction whose needs may be at odds with those of the County or whose residents would expect that “their” Councillor or Reeve/Mayor will go to bat for their priorities first to the exclusion of all else. Such a response, of course, is contrary to the tenor of the legislation where the emphasis is expected to be on what the Council as a whole feels is in the best interests of the corporate body.

The responsibility *“to develop and evaluate the policies and programs of the municipality”* is generally recognized as an oversight role as opposed to that of initiating program changes. In the main, policies are brought forward to Council by the administration albeit often at the behest of Council. Council in that respect requests that a new or revised policy is drafted and the administration do the research and writing necessary to craft such a policy. Similarly, the administration generally is expected to bring forward new program initiatives or changes to current programs. It

is up to the Council as to whether or not such changes are made, particularly where such change requires the addition of new staff or the expenditure of increased budget dollars.

Similarly, the requirement *“to determine which services the municipality provides”* speaks to those areas wherein the Council has a choice and where the service is not mandated by the Provincial Government. In the main, the services offered are either so fundamental to the County’s role or are those designated by legislation that this stipulation is largely one of margins and not core programs.

Further, the Council’s mandate *“to ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of council”* would appear to invite the Council into day to day administration whereas the way in which “governance” is best discharged requires that Council delegate the responsibility to manage these duties to its CAO and department heads. In some ways, Council maintains a watch on such practices through its questions at committee and Council meetings and through its ongoing relationship to both the CAO and external auditor.

Council can, however, put in place protocols and practices which ensure that it is able *“to ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality”* and to *“(e) to maintain the financial integrity of the municipality”*. Thus, a Council might be expected by its residents to ensure that all of the County’s business is to the extent reasonable and possible done in open and not behind closed doors. It can have as a clear policy that “Council’s business will be done publicly. Council can ensure that it reports regularly on all of its actions and that any budget planning or land use planning will be conducted as openly as possible. Further, the Council has a prominent role in ensuring that the financial integrity is foremost in the minds of the administration through the establishment of clear fiscal policies and through the regular follow-up by an experienced and independent external auditor.

These foregoing legislated responsibilities are expected to be on the front page of any Council’s agenda and those which guide the day-by-day, month-by-month functioning of the Council.

### **3.2.3 Generally-Accepted Requirements**

There are general expectations placed on elected Councils in terms of the leadership each is expected to provide. These range from determining priorities to setting tax rates, from deciding on the right “brand” to determining how to apportion scarce resources to the various communities in the County.

### **3.2.3.1 Priority-Setting**

In order to effectively guide the County and to make use of the budget dollars effectively, the Council must understand its own priorities and determine how the budget ought to reflect those. This requires that each Council develop some mechanism to discuss and debate the key issues and challenges of the day and then determine what is on first base, second and so on. This process is generally described in the literature and by practice as “strategic planning” or “business planning” and indeed is both. On the one hand, the Council needs to determine where it hopes to position the County in the longer term and secondly, what that vision suggests in terms of how to approach the budget choices faced this year.

More and more communities across Canada have adopted some system of strategic planning not as a “checklist” of what to do but rather as the foundation upon which to base good long and short term decisions. This ensures that the budget for each year is considered well in advance of the year to which the budget applies so that the best use is made of scarce and public resources. Further, given that there are always competing priorities within every organization, a plan is useful in determining which of those priorities are thought to be of a higher order than the others. This is a decision to be made by the elected officials.

Other than any such requirements for services identified in legislation, it is Council’s responsibility, in the final analysis, to determine which programs and services will be made available and in what areas to what citizens. Such programs and services will likely be brought to Council’s attention during the budget planning and approval process or as a result of the work being done on business plans. While many of these services may seem straight-forward, it has been our experience that new Councils want to be convinced that the County is involved in service delivery which is viewed by the public as important.

Thus, more and more municipalities are requesting that a “core services review” be undertaken to ensure that the County has an accurate read on what is truly important to the residents and what services are being offered because “that’s the way we’ve always done business here”.

The role of a Council has often been described as that of a steward. That is, one of the fundamental principles of a local governing body is that it will ensure that the resources of the County are being utilized wisely and in accordance with the budget and Business Plan as well as any policies and procedures which may apply. Ensuring that Council has made the best use of resources requires that it:

- Identify clearly “what business we are in”
- Ensure that there are clear lines of delineation with respect to what business unit delivers what service
- Establish clear policies relating to the recruitment and treatment of personnel
- Identify potential risks in the use by the public of municipality-owned facilities and equipment
- Establish a comprehensive tender policy and procedures
- Identify potential suppliers of goods and services.

How does this come about? The CAO should feel confident in recommending to the Council that time be set aside for a session of goals and priority setting, preferably making use of an external facilitator. Using someone external is recommended as it is highly unlikely that the session will stay on track otherwise. Council will appreciate having someone who is experienced and external to the actual business so as to ensure that discussions do not become a repeat of the last Council meeting.

The expected outcomes of such a process include the following:

- A statement of vision
- A statement of values
- A listing of Council goals
- A series of key issues facing the Council and a prioritized list of those which Council has identified as essential to their preferred course of action.

### **3.2.3.2 The Policy Framework**

In addition to a strategic plan, each municipal organization ought to be governed by a clear set of policies. The business of managing the County’s responsibilities is that of



the management and their employees. How that business is managed is determined by legislation in terms of minimum requirements in certain fields of endeavour and by policy of Council. Policies set out “what” is to be done. The “how” it is to be accomplished is determined by regulations and by managerial direction.

A Council needs to be in the business of asking “what is our policy on this matter?” As the policy-making authority, Council needs to understand the policy framework. Council can only do this if it clearly recognizes the issues; understands its own sense of what is best for the County; seeks input on the key issues; and is prepared to stand firm on what it believes to be the right course.

The decisions of a Council effectively become the policies of it. That is, whether the Council decides by way of resolution or by bylaw, its decisions taken together, constitute the “policy bank” of the County. While policies should preferably be presented to Council according to a set format, the key to an effective Council is the recognition that its decisions become the standard upon which the administration functions and makes decisions.

We believe that the CAO and his administration have a responsibility to bring draft policies forward to the Council on an ongoing basis. Further, the CAO should make Council aware as early in a new term as possible as to the current policies which guide significant aspects of the County’s business.

Policies should be developed on issues that are either repetitive or major. That is, if the CAO (or his administration) notes that not only a certain matter needs a Council decision but that there will likely be several other matters of a similar nature which will also require a similar policy framework, then a policy should be drafted. If the issue is significant, it too should undergo the same rigorous analysis and review which policies are also subject to.

#### **3.2.3.3                      Delegation to Management**

The primary “next step” in this process is the obligation of the Council to delegate the implementation of its policies to its chief administrative officer (CAO). The CAO plays the primary role in acting as the link-pin between Council as the policy-makers and the staff as the administrators of those policies. The CAO is viewed as the Council’s chief

policy advisor and as the person responsible for ensuring that the decisions of the Council are effectively discharged. Thus, all advice to Council from all departments is to be directed through the office of the CAO so that Council can be confident that the breadth of the County's business priorities and policies has been respected and reflected in the advice. That is the CAO acts as the advocate for the advice and opinions of the administration and ensures that the Council has the full picture of all salient points in any decision. Once Council has determined the direction to be taken from a policy perspective, the CAO is charged with ensuring that his administration implements those policies based on Council's directives.

#### **3.2.3.4 The Linkage between Council and Management**

Central to how well the administration implements the will of Council is the ongoing relationship between the Warden and the CAO. If this is a healthy and robust relationship with considerable communication between the two there should be a clear understanding by the CAO as to the direction and priorities of his Council. The effective discharge of the duties listed in Section 224 of the Act depends upon Council's understanding of their roles and the policy consequences of their decisions. This in turn is greatly influenced by the type of relationship between the Warden and the CAO. The former should be in a position to guide the CAO as to the intent of his Council's decisions whereas the latter should be able to review with the Warden any unintended consequences associated with implementing their policy choices.

### **3.3 Decision-Making**

#### **3.3.1 How a Council Decides**

Governing effectively requires that the Council act as the principal leaders of the corporation and make those decisions necessary to ensure that all day-to-day matters are being carried out within the umbrella of Council's direction as established through policies, plans and budgets. The Municipal Councillor's Guide states:

*The Municipal Act, 2001 establishes the basic framework for municipal government. Section 8 of the act provides that the powers given to municipalities under all acts should be interpreted broadly so as to allow the municipality to "govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues."*

*Authority for important municipal activities can also be found in many other acts, including the Planning Act, the Building Code Act, 1992, the Social Housing Reform Act, 2000, the Police Services Act, the Fire Protection and Prevention Act, 1997, the Emergency Management and Civil Protection Act, the Ontario Works Act, 1997 and the Day Nurseries Act, all administered by the provincial government.*

Role clarity is essential so that Council members are able to function in one sphere and the administration another; the former are elected based on their appeal to the voters while the latter are appointed (or hired) based on their experience and training as administrators of specific functions and disciplines.

A Council decides based on a number of factors including:

- The report from its administration regarding the matter
- Its own understanding of the area or question under dispute
- Any prior resolution on this or a related issue
- What Council believes to be the best choice for its residents
- The potential impact on budgeted resources
- The possibility of establishing a precedent which may carry significant connotations for other like issues
- Personal awareness of the issue
- Any historical information on this or similar issues.

### **3.3.2 Decision-Making is About Choices**

Problems are encountered when those who are elected attempt to replicate the work of those administering and vice versa. Roles must be clearly articulated and well-understood. The mandate of a Council is never properly discharged wherein the Council determines to do the work of the staff members. Council's time needs to be spent on establishing what it wants to see accomplished and within what level of resources. This requires that choices be made between various alternatives all of which might seem to be valid. Those elected are thus faced with the unenviable task of determining which choice is best given the circumstances and the resources available. Such choices should never be made solely by the Council. They are best made when the Council expects the

administration to weigh in with their advice based on their training and their experience in this County. While the various options may appear to have at least some merit, it is the duty of Council to make its determination based on what it believes to be best for the majority of its residents. Leadership is all about making difficult choices in an often stressful environment.

### **3.3.3 Decision-Making Involves Conflict**

The resolution of conflict between various interests within the County is also a major part of the role of the Council. The disparate needs of a region as large as Huron County inevitably require decisions which may appear to favour certain geographic areas more so than another or one interest group more than another. This kind of decision-making needs to be carefully considered with the decision made on the basis of what benefits the majority and what is in the future long term interest of the whole.

County Council, even though the members come from the far reaches of the County, is expected to make decisions which are in the best interests of the whole. This requires that a member of County Council, albeit elected from one of the lower tier jurisdictions, must set aside that “hat” and carefully consider the evidence as to what decision is capable of benefiting the whole County and not just his own local jurisdiction.

While some of Council’s decisions may not appear to involve any conflict given that the choices being faced impact the whole County, there will inevitably be others which do affect the interests of one region or interest group or community more so than the interests of others. Not everyone might support the expenditure of County funds on projects which are located in a community at the far end of the County while the needs of another region seem to have been over-looked.

### **3.3.4 Decision-Making Requires a Thoughtful Process**

Critical to difficult decisions being acceptable to the majority of the public is the process used to make such choices. A Council which recognizes the need to adopt a step-by-step process of decision-making will note that it has more confidence that its decisions will more often than not be in accordance with the wishes of the “community”. Inappropriate decisions often result from hasty actions or requests

presented to Council at the last minute and without sufficient administrative analysis or recommendation as to the potential implications to the County as a whole.

Process adds value wherein it affords Council the opportunity to examine the more significant issues in some depth and without the normal time constraint of a regular Council meeting wherein motions are presented and a sense of urgency prevails. An acceptable process is also critical if Council members are to ensure that its boards and committees (which they have established) have the right to present their views to Council in an unfettered way, without change and with the opportunity to be adequately represented at a meeting of Council. (Unacceptable process re-routes such advice through the administration with the implied right to make changes before Council sees the external report).

Responsible process enables Council members to seek clarification and assurance that their decisions were indeed carried out as determined by Council and not as administration may have preferred. This necessitates some feedback mechanism which assures the Council that its decisions are being implemented according to the direction and tone of Council's choices.

### **3.3.5 Decision-Making Relies on a Sound Policy Framework**

Policies are what ought to be guiding the actions of the County's employees. An effective administration cannot rely on whim or on what this person or that thought was the best course of action. That type of decision-making will surely lead to conflict and considerable confusion. The administration is expected to make its decisions within the constraints of the approved Council policies and plans unless and until such plans and policies are being changed by this Council.

When a Council is elected it effectively inherits all the decisions which preceded their election until such time as those decisions are changed. Council members who are not afforded the opportunity to review the County's current bylaws and policies are being expected to make decisions in the dark. Such a practice ought not to be tolerated.

Council benefits from a policy framework that sets out the parameters of key issues and establishes Council's direction as to what it believes constitutes the best course of action.

Like all policies, these of course can be changed from time to time depending upon the interjection of new information and/or new circumstances.

### **3.3.6 Decision-Making Requires Effective Participation**

All members of Council are entitled to participate equally at all regular meetings of Council. This does not mean that each needs to speak as frequently as their colleagues but, rather, that each recognizes that he/she could if they so desired. This requires reading the background materials provided to Council by the CAO and Clerk as well as asking questions of the CAO (or, through the CAO to the department heads) where there are unresolved issues which may not have been clear in the background materials.

### **3.3.7 Decision-Making Requires a Clear Understanding of the Role of a Liaison**

Each Councillor needs to be aware of the need to understand the expectations of his participation as a member of committees to which he has been appointed by Council. Unless otherwise stated, a member of Council is expected to be a **liaison** on behalf of Council as a whole. This will likely require taking messages from Council to the committee and voting on issues at committee or board meetings as the member believes Council would have him vote. Where there is uncertainty as to the position of Council relative to an issue, then the member should so indicate that his opinion is a personal one and not necessarily the position of Council as a whole.

It should also be noted that members of Council should never feel that they are to become the advocate for a particular body to which they have been appointed. That should be the role and responsibility of the chair of that body. **Councillors are to be advocates for the County and not for a particular group.**

### **3.3.8 Decision-Making Involves Discussion with the CAO**

Council should always seek the advice of its CAO on policy issues or those simply requiring Council's resolution. Whether or not Council agrees with the advice of its CAO is another matter but there should be sufficient respect that at least a report on the matter by the CAO (or approved by him) is being sought.

This type of decision-making relies upon the trust and respect which the Council has built with its chief officer. Where that has happened, Council members will rely upon

the advice of its CAO or at least be prepared to afford the CAO the courtesy of reviewing his input.

The CAO is the Council's "go to" person and as such must ensure that any decisions of Council are in fact discharged as the Council directs. The Council and CAO may put in place mechanisms to ensure that this mandate is being taken seriously and discharged effectively.

### **3.4 Council's Ability to Act**

There are certain caveats on the ability of Council members to act. In the first instance, Council decisions can only be determined when Council is meeting in a duly called meeting. That is, a single member of Council cannot act on behalf of the County or commit the County to any action. Decisions are made as a body.

County Councillors must adhere to the need to keep confidential matters private. That is, when Council as a whole determines to go "in camera" to review a matter, that issue being discussed is expected to remain in that state of privacy until such time as Council has been advised to release the matter publicly (which may never be the case) or when Council as a body determines by resolution to release such information.

Council members must refrain from publicly naming any member of staff in their accusations of poor performance or illegal activity. The administration must be protected from spurious allegations or commentary that has the potential to impair the public's perception of their performance. Any such comments need to be confined to an "in camera" session involving Council members and the CAO, not in a public forum wherein real damage can be done without justification to someone's reputation.

### **3.4 What a Warden Does**

The position of Warden is dealt with separately in this Report because it is viewed as distinct from that of the rest of Council. The Warden is regarded by Council and the administration alike as the chief spokesperson for Council, both to the public as well as to the administration. The Warden should be able to act as the rudder of the ship of state in guiding Council towards reasonable decisions regardless of the fact that the Warden has no more individual authority than any other member of Council.

#### **3.4.1 Legislatively**

The Municipal Councillor's Guide describes the role of the Warden as follows:

*Depending on your municipality, the head of council may be called a warden, chair, reeve, or mayor. Whatever title is preferred, the role of head of council as set out by the Municipal Act, 2001 remains the same:*

- "225. It is the role of the head of council,*
- (a) to act as the municipality's chief executive officer*
  - (b) to preside over council meetings so that its business can be carried out efficiently and effectively*
  - (c) to provide the council with leadership*
    - (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) carry out the duties of a head of council under this or any other act."*

*As chief executive officer of the municipality, the head of council has special responsibilities, which are set out in section 226.1 of the Municipal Act, 2001:*

- "226.1 As chief executive officer of a municipality, the head of council shall,*
- (a) uphold and promote the purposes of the municipality*
  - (b) promote public involvement in the municipality's activities*
  - (c) act as the representative of the municipality both within and outside the municipality, and promote the municipality locally, nationally and internationally and*
  - (d) participate in and foster activities that enhance the economic, social and environmental well-being of the municipality and its residents."*

*With such responsibilities, the head of council has a prominent and highly public profile. Many citizens within your municipality will have high and often varied expectations for the head of council. The head of council must find a way to balance these expectations. Nevertheless, decisions of the municipality are made by council as a whole. The head of council does not have any more power than any other member of council to make decisions on behalf of the municipality.*

On an annual basis County Council goes through a process of electing a Warden from amongst their ranks to serve as their leader for the next year. The Warden serves as



the head of Council similar in role to that of lower tier Wardens/Reeves and performs the functions both expected and congruent with the role.

The role of the Warden is referred to in legislation in Sections 225, 226 with reference to the head of Council. The Warden is expected to:

- Act as the chief executive officer of the County
- Preside over Council meetings
- Provide leadership to the Council
- Promote public involvement
- Represent the municipality at official and ceremonial functions
- Seek to encourage actions and decisions which are perceived by the Warden as being in the best interests of the County
- Carry out the duties of the head of Council under the legislation.

There is no question but that the manner and style in which the Warden's responsibilities are discharged will be largely dependent upon the individual nature of the incumbent. Each Warden will approach the job somewhat differently in terms of their style of leadership, although there are certain common expectations and duties. Central to the role, however, is the need to recognize its political base and the fact that there is no expectation for the Warden to be involved in the day-to-day work of the staff.

### **3.4.2 Two Primary Roles**

In Huron County, the role of Warden both historically and currently is essentially two-fold. The Warden is expected to: act in a ceremonial role and represent the County at numerous social and community gatherings; and secondly, to chair Council meetings. Providing leadership to County Council and representing the municipality at official functions are newer duties, reflecting contemporary public expectations accompanying this role. While this position carries with it considerable respect and has been described by some of those we interviewed as the peak of local government leadership on a regional basis, it is interesting that it is not viewed as having much clout in terms of any policy leadership or executive functions.

At the same time, we note that the Warden as the ceremonial figurehead for the County should not be overlooked or downplayed. This role is often what is seen by the residents

of the County and while they have their respective Mayors at the local level, there is also considerable regard for the elected head of the County. Thus, the Warden needs to be seen at as many County and local events as possible and to engage the populace on issues which concern them. The County office should be helping to identify such social and ceremonial engagements and ensuring that the Warden is made available to “carry the County colours”.

The chairing of meetings is also of importance in terms of the Council being viewed as “having its act together” at least in terms of following due process. This role of course is one which is supplemented by the Clerk who will ensure that the Warden is made aware of any legislated or bylaw requirement in terms of how the meeting is supposed to be run. This does not necessitate that the Warden be intimately familiar with the Procedural Bylaw or a prescribed “rules of order” but that he be aware of the actions which enable the meeting to flow smoothly. The question of whether or not the Council perceives the Warden’s role as to simply open and close the proverbial gate is a moot point and one which we will discuss in greater depth later in this Report. In other words, does the Warden have a voice as a leader at the Council table wherein he is expected to weigh in with his opinion on key matters or is he expected to do that at the Committee of the Whole meetings only? Does his voice carry more weight than that of his colleagues or is he co-equal with his colleagues?

### **3.4.3 Warden as Chief Executive Officer**

The literature seems to suggest that the title “chief executive officer” carries with it far more authority and far-reaching responsibilities than that imagined by the municipal legislation. In the main, both for profit and not-for-profit organizations view their CEO as the executive and administrative leader with powers of management and the prominence of policy leadership. The Ontario legislation paints a rather different picture wherein the Warden as chief executive officer (CEO) is a titular position with responsibilities limited to being the public face and the chair of public (and in camera) meetings. The CEO in the former sense reports upward (i.e. to a board of directors) whereas the CEO in the municipal sense reports either to the public or to his/her colleagues. In the pure sense of those words, the CEO would advise his/her board and

then manage the employees in their day-to-day responsibilities. This is not the role envisioned here.

The Warden is perceived as ultimately responsible for what happens in the County without having many of the tools or powers at his disposal to affect change in those behaviours. He can of course suggest new or revised policy to the Council. He can make suggestions to the chief administrative officer (the person delegated to manage the corporation) but is very limited in terms of directing the CAO to act (much as he might like to).

As their “CEO”, members of Council recognize that even a group of leaders needs someone appointed to lead. Thus, a Warden is not only one of Council, he (in this instance) must be a person who can seize the initiative and suggest actions or decisions which he sees as being of benefit to the County as a whole. In the final analysis, if things go badly during a term of office, the Warden will be viewed as being responsible for the cause and results of the actions as the leader of the Council (and thus of the organization). Few people will make the distinction between this role and that of the CAO.

Whether or not the Warden will be successful in this role as “chief executive officer” will depend in large measure on whether he is able to garner the support of the Council to make certain changes and whether or not the administration agrees that such change is necessary. This “power” is more in keeping with the Warden’s perceived power which is one of influence. The title of “Warden” carries a certain degree of respect and while the degree received is dependent on the personality and persuasiveness of the Warden to “pull it off” there is a general sense by most members of Council that it is in their own best interests that this Warden be successful. The Warden has, in effect, informal authority accorded to the position by both the public and administration alike as might be expected for anyone holding the position of chief executive officer. If Council shows its support for the ideas and initiative of the Warden then the perceived power of the position is enhanced. If the Warden’s ideas and actions are routinely criticized and curtailed, then the position in the eyes of all members of Council and the administration suffers. If the Warden views the role as largely ceremonial and a useful title to have on

one's resume then the power will be largely restricted to that of a ceremonial figure and a meeting chairperson.

In Huron County the Warden is expected to:

- attend and chair all meetings of Council
- attend all meetings of the committees of Council (but not chair)
- attend all meetings of the Library Board and Board of Health (but not chair)
- meet with local Councils and Provincial officials (i.e. Ministers)
- act as the public spokesperson for the County in discussions with the media and with other lower tier leaders.

In addition to these roles, the Warden is expected to have somewhat more profile with the administration due to a more frequent presence in the office and contact therefore with members of the administration. How the Warden interacts with the administration and the power he exerts relative to the functions of staff are more a reflection of the personality and leadership style of the incumbent. While the Warden's power is largely informal, the fact that he can exercise influence over the conduct of the business of the municipality is a certainty. This does not ignore the fact that the Warden has only one vote on all matters and is, in many respects, co-equal with his colleagues on Council. Rather, it reflects the fact that the public and media often tend to pay more attention to the Warden than to others on Council. The Warden must therefore be very prudent in his use of this power and exercise it for the good of the community as a whole.

#### **3.4.4 Warden as Team Leader**

The image of the Warden as an effective leader is highly dependent on the willingness of the rest of Council to follow the lead of the Warden and to work together. This does not dispute the right of individual Council members to have independent views on all topics. Rather, this observation reflects the need of Council to receive leadership from the chair and to respect the right of the Warden to provide such leadership as best as he/she is able to do so.

The Warden is expected to draw the Council together as a reasonably cohesive group which has a commonly-chosen "game-plan". This does not detract from our view that

all members of Council are expected to articulate their own positions on the issues as strongly as possible. We note that Council members are independent and may decide to support or not the intentions of the Warden. Rather, it simply refers to the expectation that the Warden, as chief elected official, will encourage Council to view accepted policy from a "Council as one unit" perspective rather than individually.

Albeit not particularly well understood, the chief elected official is the most logical person to act as the conciliator for all of Council and the one person most likely to find any common ground between sometimes polar opposite points of view. The Warden is in the best position to seek consensus amongst his colleagues on Council on issues wherein it is apparent that significantly divergent views are held.

The Warden is, however, expected to draw the views of his colleagues together and to point out a reasonable compromise if one exists. The Warden needs to retain his impartiality on the issues until the issue has been presented to Council and until it is appropriate for the Warden to voice his personal views on the issue. While the Warden is not expected to compromise his principles, most issues have within them the potential for agreement providing that people are prepared to see each other's point of view. The difficulty, of course, is convincing everyone that some degree of compromise is needed to reach a reasonable solution.

#### **3.4.5 The Warden as Liaison to the Administration**

Based on his position as the County's political leader, it is obvious that the Warden will have more contact than his colleagues with members of the administration and particularly the CAO. The Warden will be asked to sign documents and act as one of the County's signing authorities.

Although the role of a Warden is to be the political leader of the Council, it is also often the case that both the Council and administration expects the Warden to provide a linkage between the legislative and administrative arms of government. This role is particularly important as a means of ensuring that the views of Council as a whole are understood at the senior level of management. The Warden needs to be able to advise the CAO and senior staff as to Council's view of a matter or to clarify a policy position or explain a particular grievance as expressed by Council.

The Warden needs to be careful, however, that his actions do not lead the rest of the organization to conclude that he is the administrator. The Warden, like all members of Council, needs to defer to the CAO on staff issues or run the risk of severely damaging and undermining that office. This is one of the reasons why the Warden needs to be careful in how accessible he is to other members of staff other than the CAO, unless such meetings are held with the CAO or at least with his advance knowledge.

The Warden does not have the authority to provide any member of the administration with Council's direction on any issue unless Council has already addressed the matter and provided clear direction through a stated policy. To do otherwise will bring Council's role into question and will, at the same time, effectively undermine the authority and image of the CAO. It would be wise of the Warden to not express such direction given that this will no doubt negatively impact the influence of the CAO.

Due to the prominence of the office, the Warden may often be briefed on issues prior to the rest of Council. This is reasonable given the expectation of a closer personal contact with the CAO than the rest of Council and due to the Warden's need and right to be immediately briefed. The Warden's additional access to information places him under an obligation to ensure that the rest of Council receives a full briefing of such issues so that they are fully aware of such issues on a current basis. It is not wise for the Warden to ever withhold such information if he expects his Council to want to work together under his leadership. Thus, the Warden and the CAO should establish a mechanism that ensures that all members of Council are equally and concurrently advised of the issues as they develop.

#### **3.4.6 The Warden's Role on Committees and Boards**

There are two mechanisms whereby the Warden may be appointed to a local or regional board or committee. The first is an appointment by Council to a board or committee wherein the Warden is viewed as "one of". That is, in such a position, the Warden does not possess any additional powers or privileges than any other board/committee member. The second type of appointment is that of the Warden being appointed as an "ex officio" member. In this instance, the Warden is appointed by virtue of his office and holds that position as long as he holds the office of Warden. In this instance, the

appointment bylaw or resolution will describe if the Warden has the power to vote on matters, speak to issues or hold an executive position on that body. In most instances, the Warden would simply have the authority to attend and to speak.

#### **3.4.7 The Warden as the Primary Liaison to Other Jurisdictions**

One of the key roles of the Warden is that of acting as County Council's key representative to other jurisdictions. Thus, the Warden will be viewed as speaking for Council when he attends meetings of lower tier municipalities, the Provincial Government (likely through County-based MPPs) and the Federal Government (likely with the area Member of Parliament). While such meetings may not occur regularly, there will be instances wherein the presence of the Warden is deemed to be of benefit given that his office speaks with the clout of the full body of Councillors. The Warden needs to exercise caution that his connections are kept to the political level and are not at the administrative levels (which ought to be the role of the County's CAO).

#### **3.4.8 The Warden's Delicate Power Base**

The foregoing points to how the position of Warden can be an effective "rallying point" for the County. The role carries with it "positional" clout whereby respect is naturally accorded to the position and thus by extension to the person wearing the mantle. This is both a tremendous honour as well as a delicately held position of power. It requires a person of maturity and solid character upon which leadership is based and from which good things emanate.

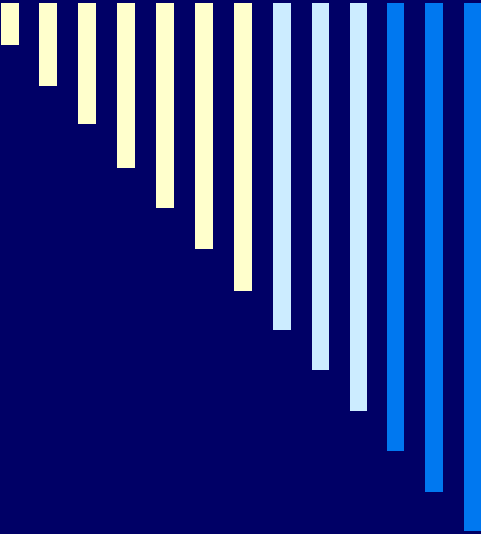
The power base is dependent both on the authority granted by legislation (which as discussed is quite limited) and upon the latitude extended by the rest of Council to the manner in which the Warden performs his role. If the Council as a whole is satisfied that the Warden has only the best interests of the majority at heart, it is likely to extend the parameters of power such that the Warden can be an initiator of change and more active in policy leadership. If the historical limitations of the position are adhered to (i.e. the Warden is expected to chair meetings and act in a ceremonial role), then the range of authority granted (or acceded) to the Warden might be very narrow indeed.

While we recognize the additional powers and prestige of the office of the Warden, these powers are only effective when supported by the rest of Council. This serves as a useful check upon the authority of not only the Warden but Council as a whole.

As the official representative of the community, the Warden will more frequently be in a position of being the host of visiting groups and delegations. This will require the Warden to have some latitude in that any expenses incurred by the Warden in hosting such organizations, delegations or individuals should be legitimately picked up by the County. This will result in the Warden having the obligation to ensure that each month's expenditures are properly documented and accounted for. This should be handled in a manner as advised by the County's external auditor. A reasonable budget needs to be established for this purpose on an annual basis.



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# Presentation to the Grade VI Class

**George B. Cuff, a Former Mayor**



# Oh No...Some History

- ❑ Early forms of local government date back to the Middle Ages in Europe
- ❑ Canada's local governments based on the English and French models
- ❑ First local municipality (Saint John, New Brunswick) established in Canada in 1785, before the first Province was established and before Canada was established as a country (1867) (British North America Act)
- ❑ Montreal and Quebec City est. in 1832; Toronto in 1834; Edmonton in 1892
- ❑ Alberta became a Province in 1905 (over 100 years ago)



# What is Local Government?

- ❑ A geographic area that has its own system of governing by an elected council headed up by a Mayor and elected Councillors
- ❑ It is often referred to as “the level of government closest to the people”
- ❑ Local government is the name given to the governing of municipalities such as cities, towns, villages, counties, summer villages
- ❑ Local government concerns itself with the delivery of services to citizens such as water, roadways, garbage pick-up, recreation and culture, sports fields, fire protection, planning



# Why Does It Exist?

- It exists to ensure that all citizens have a voice in how their services are being delivered and the cost of such services
- It exists to enable citizens to participate in decisions that affect them directly at the local level
- The legislation states in Section 3 that a local government or municipality exists to:
  - to provide good government,
  - to provide services, facilities or other things that, in the opinion of council, are necessary or desirable for all or a part of the municipality, and
  - to develop and maintain safe and viable communities.



# How Long has Local Government Been Around?

- ❑ Local government has been in existence since the middle ages, primarily in England and France
- ❑ History is linked to those two countries so our forms of government looks a lot like England/France
- ❑ Cities, towns, counties have been around longer than Provinces or the country of Canada itself
- ❑ Calgary is Alberta's oldest incorporated city (1894); Edmonton was incorporated in 1904; Alberta was made a Province in 1905
- ❑ Lacombe became Alberta's 17<sup>th</sup> City on September 5, 2010



# What Services are Provided?

- The Population of Lacombe as of the 2014 census was 12728
- The range of services provided by local governments is quite extensive:
- Primary services
  - Water Supply, Sewage treatment
  - Storm-water control (drainage of rain water)
  - Fire & Police protection
  - Road-building and maintenance
  - Planning
- Secondary services



# What Services are Provided?

- The range of services provided by local governments is quite extensive:
- Secondary services
  - Recreation programs
  - Cultural programs
  - Library services
  - Economic development
  - Bylaw enforcement
  - Parks development
  - Building inspection



# Where Does the Money Come From?

- ❑ Taxes (which are collected from every homeowner and business based on the value of the home and the cost of city services)
- ❑ Fees (e.g. arenas, pools, libraries)
- ❑ Fines (e.g. speeding through the City; leaving your yard a mess; library fines, etc)
- ❑ Grants from other levels of Government (i.e. federal, provincial)
- ❑ The vast majority of dollars raised by a municipality are from property taxes





# The Impact of Lobby Groups

- ❑ A lobby group is a group of people who have a particular issue that they wish to see placed as a priority item by the Council. The lobby group often elects a spokesperson whose job it is to convince the Council of the value of their issue so that the Council puts money into the budget to help their issue become “alive” or so that the issue (e.g. no smoking in public places) becomes law in their community
- ❑ A local example would be a group of people who banded together to request Council to keep the local swimming pool open for longer summer hours

# WHAT DO SHEEP NEED?



# WHAT DOES EVERY COMMUNITY NEED?



# What Does A Mayor Do? Is It a Full-Time Job?

- ❑ Chair of all meetings of Council
- ❑ Acts as the spokesperson for Council
- ❑ Acts as the key contact person to the administration of the City through the office of the Chief Administrative Officer (City Manager)
- ❑ Meets with other levels of government
- ❑ Performs ceremonial functions e.g. the parade



# What Does A Councillor Do? Is It a Full-Time Job?

- ❑ A Councillor attends Council and committee meetings
- ❑ A Councillor acts as the eyes and ears of the citizens
- ❑ A Councillor has one vote on all issues on the Council's agenda
- ❑ A Councillor may not commit the City to any action on their own; they need the support of the majority of Council members
- ❑ On a Council of seven members, including the Mayor, how many votes would be needed to "win"?



# Roles of Council as a Whole & Individually

- ❑ Make decisions on local matters
- ❑ Pass motions
- ❑ Listen to citizens
- ❑ Approve taxes
- ❑ Decide on new facilities
- ❑ Individually? No power to make decisions; only as a Council



# Keys to Being a Good Council

- ❑ Taking time to learn this new role
- ❑ Being willing to work with the rest of Council
- ❑ Showing respect for the Mayor & staff
- ❑ Trust in the Mayor, Councillors and city staff
- ❑ Understanding of the legislation (e.g. the Municipal Government Act)
- ❑ Communicating with the citizens



# What Differences Exist Across Canada?

- ❑ Each Province has a different number of municipalities because of their geography
- ❑ Alberta has two major municipalities; these are:??
- ❑ Manitoba on the other hand has one major/large municipality: what is it?
- ❑ In rural Nova Scotia, the Mayor may be called “Warden”
- ❑ Niagara-on-the-Lake has the only one of these: “A Lord Mayor”
- ❑ Some of the larger cities like Toronto have been amalgamated with smaller cities that surround them, like the Borough of York



# Who is Allowed to Vote?

- Must be 18 years of age
- Must be a citizens of Alberta
- Must have lived in Alberta for the 6 months prior to the election day
- Must have lived in this city on election day





# Why Should Adults Vote?

- To ensure that they participate in the process which elects their leaders
- To assure others how important democracy is
- To make sure that the “right” people are elected: for example:
  - 3 candidates for Mayor; only one is elected
  - 8 candidates for Councillor; 6 are elected
- To enable voters to complain when they see a problem (pretty hard to complain if you never voted in the first place!)



# How Can You Be Involved?

- Write a letter of support to the Council
- Ask for permission to watch part of a Council meeting
- Ask for a tour of City Hall; meet the Mayor
- Write a letter to Council about a local issue (e.g. garbage on the boulevards)



# Would You Like to Serve on City Council??

- The Issue: The area around your School is full of junk
- You are going to approach Council and ask that something be done
- I will set up a Council Chambers: a Mayor, Councillors, a delegation from the public, the media and the rest of us as the audience
- The delegation will present to Council



- Being a citizen of a community like Lacombe is an honour! Every eligible person should vote and take an interest in what their Mayor and Councillors are doing.

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## **Statements of Protocol**

### **1.0 Relationship to CAO & Management**

- 1.1 Council members will treat the CAO and his staff with respect in all Council and committee meetings.
- 1.2 The CAO will be advised by his direct reports of any requests for information to his administration by Council members.
- 1.3 Any access to the administration by members of the Council will be limited to the CAO and/or his direct reports.

### **2.0 Relationship to CAO & Management**

- 2.1 Council members agree to respect the apolitical nature of the office of the CAO and to receive his advice as being in the perceived best interests of the County and/or organization.
- 2.2 Council members will respectfully listen to comments in response to questions posed at Council meetings and will ensure that the CAO is accorded a respectful audience.

### **3.0 Treatment of the senior administration**

- 3.1 Council members agree to respect the apolitical nature of senior staff and will treat their advice and reports with respect. Council agrees that it will not knowingly or willfully interfere with their work but will coordinate any of its concerns as a Council through the office of the CAO.

### **4.0 Advice to the Council**

- 4.1 All reports to the Council will include a recommendation by the relevant department head and will be counter-signed by the CAO; any report to Council will not be considered by Council unless and until it bears the signature of the CAO.
- 4.2 Management through the CAO will endeavour to keep the Council informed on the salient background of all key issues facing the County.
- 4.3 Issues for which management does not have clear policy guidance will be prioritized for policy development and presented to Council by the CAO.

### **5.0 Primacy of Policy**

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5.1 Current approved policies will always be followed until changes have been formally approved by Council.

5.2 Any communication of the policies of the County to external audiences will be referred to the CAO or the Reeve (as appropriate). In most instances, the Reeve will communicate such policies to external audiences.

5.3 The Council may at any time request a review of current policy

## **6.0 Requests for Information**

6.1 Responses to such requests for information from the administration will be copied to all members of Council and to the CAO.

6.2 In response to any questions by Councillors to the CAO (and Department Heads) at a Council meeting, it is understood that management is not expected to know the answers to all questions; but expected to review and report back to the Council at the first opportunity.

## **7.0 Responsibility of CAO**

7.1 Any blame for the mistakes by administration will be accepted by the CAO and/or Council as appropriate in those circumstances. It will be understood by Council that the CAO will be immediately seeking to correct any such failings.

## **8.0 Public Profile**

8.1 Disparaging remarks with regard to the Council or administration will not be tolerated at any meeting of the Council or anywhere on public premises

8.2 Any contact between the Council & administration that appears to be other than respectful will be reported to the Reeve and CAO for follow-up as deemed appropriate.

8.3 All Council and staff members will be conscious of the need for confidentiality in any e-mail exchanges. All correspondence will be recognized as ultimately public.

8.4 All Council and staff members will be aware of the need to show respect to the public while not tolerating any abuse.

## **9.0 Diversity of Views**

9.1 We accept and celebrate the diversity of our members. We expect varying points of view on most issues.

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9.2 We listen carefully to each other because of our mutual respect. Our arguments are focused on the issue, not on the person.

9.3 We accept the authority of the Reeve to guide all Council meeting(s).

#### **10.0 Appreciation of Democracy**

10.1 We value and accept decisions made by our Council; we recognize that not all members may be in agreement with a specific decision.

10.2 Subject to the provisions of the Procedural Bylaw, we agree not to resurrect issues that have already been decided by resolution or policy of this Council for a period of at least 6 months.

10.3 We understand that our committees are advisory to the full Council & do not make decisions on their own unless delegated that authority

#### **11.0 Use of public property**

11.1 We agree to respect the fact that property belonging to the County is held as a common interest for the good of all citizens. As a result, we will not presume that any such property belongs solely to members of Council or that we can as members of Council take advantage of our access to such property as a result of being on Council.

#### **12.0 Treatment of ABCs**

12.1 Council is appreciative of the willingness of citizens to volunteer their time and talents to serve on various local organizations (referred to as ABCs—agencies, boards and committees). These agencies, when established by Council, are considered as a part of Council’s decision-making process and thus will have matters referred to them for their advice.

12.2 The ABCs will in turn advise Council of their recommendation on matters that they have considered. Council may or may not accept the advice of any ABC on matters within their terms of reference.

#### **13.0 Respect in Chambers**

13.1 Council members will treat each other with respect in Council Chambers. During the course of meetings, proper titles will be used such that Councillors will refer to the Reeve as “Your Worship” or “Mr. Reeve”;

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and to each other as “Councillor Smith” (i.e. whatever the appropriate last name is).

- 13.2 When another member of Council is speaking, respect will be shown by the other members of Council who will not interrupt the member speaking.

#### **14.0 Obligation to Inform**

- 14.1 Council members respect the fact that they represent the citizens as a whole and not groups/sectors of citizens. As a result, the messages of Council will be communicated through official channels to all of the public following a meeting & will not be sent in advance to groups/organizations/friends of Council members.
- 14.2 Any request to staff for information by a member of Council will be responded to according to the County’s policies. In every instance where information is being sent to one member of Council, that same information will be sent concurrently to all.
- 14.3 The Reeve by virtue of his office may be advised on matters before the rest of Council. Subject to whatever constraints are placed on the information by whoever initiated the contact with the Reeve, the information will be circulated to all members of Council concurrently and as soon as practical, preferably within 48 hours of the Reeve receiving the information.



**George B. Cuff, FCMC**



## **Town of XXXXXXXX**

### **Succession Planning Policy**

#### **The Issue**

The well-being of Town of XXXXXXXX rests upon the capacity that it has to govern effectively and to deliver effective, efficient and desired services. This capacity relies upon, in some measure, the ability of the Town to identify quality candidates for elected office and to provide them with the training and orientation they need to be effective in their roles as public representatives. It also requires that the Town is cognizant of its role and responsibilities in:

- ❑ Structuring the organization so as to best provide the services it wishes to deliver to its citizens
- ❑ Ensuring that the services and actions of the administration take into account the goals and objectives of the Council
- ❑ Ensuring that the human resources needed to deliver those services is present in the organization and sufficiently skilled to handle the challenges of an ever-changing environment
- ❑ Providing the leadership resources needed by a growing workforce so as to ensure that they are motivated, learning in their roles, held accountable for quality performance, and delivering services in such a manner that the citizens are satisfied with the effort and responsiveness shown.

While these are challenges facing the entire organization and for which the Council is held accountable, the focus of Council's responsibility lies in its relationship to its chief administrative officer (CAO). The Council is aware that it must carefully manage this relationship in such a manner that it engenders respect and enjoys the mutual trust so essential to this interface. It is also aware that there is a demand for quality people employed in this senior level position and that this CAO may either leave to take on another position elsewhere or may retire early. As a result, the Council must ensure as a matter of good governance that it develop both a succession policy and plan for the position of CAO.

## **Mission & Vision**

*To enhance the quality of life for people within Town of XXXXXX through the efficient and effective use of available resources.*

### **Vision**

*Town of XXXXXX is a desirable community in which to live and do business.*

### **Core Values**

- ❑ *economical and efficient services*
- ❑ *sound financial management*
- ❑ *long-term planning*
- ❑ *a lifestyle of choice in safe communities*
- ❑ *quality infrastructure*
- ❑ *effective leadership*

### **Core Business**

- ❑ *Servicing the needs of the people through local municipal services*
- ❑ *making and enforcing laws*
- ❑ *being responsible stewards of taxpayers' money*
- ❑ *providing long-term viability for our municipality*
- ❑ *facilitating public input*
- ❑ *fulfilling the requirements of provincial legislation*

### **Definition**

**Succession planning** is a process of identifying future successors to key positions in the organization. It is part of a broad process of reviewing organizational requirements, identifying the essential skills needed for all key positions, and ensuring that management development programs are established or pursued that ensure that such skills are being developed.

Succession planning begins from a base of realism in that all organizations go through a continuous process (some over a longer time frame than others) of identifying needed skills, filling those positions from either internal or external sources, providing ongoing training and upgrading of such skills, losing the individual to either retirement or resignation, and beginning the search again for

those same skills and talents (or reviewing the organization's current needs to see if those skills are still required).

### **Related Strategic Goals**

### **Related Organizational Goals**

- *To ensure that the comprehensive human resource needs of the organization are consistently being identified and addressed*
- *To update the human resource needs on a regular basis*
- *To identify internal candidates for possible promotion into more senior level positions*
- *To ensure that the organization consistently identifies training opportunities that enhance our ability to develop such candidates.*

### **Town of Black Diamond Council Policy**

The Council of Town of XXXXXXXX believes in the importance of its employees to the welfare of its citizens. Council understands that our employees are essential to enabling our citizens to enjoy this Town and its many benefits, including all of the services rendered by the Town. Council's values include: effective leadership and long term planning. These both speak to the need to ensure that we are properly administered and guided and that our services are effectively and efficiently rendered. Our core businesses (see above) also speak to the importance that we place on quality people providing first rate service.

The Council respects the authority it has vested in its Chief Administrative Officer (CAO) and thus realizes that Council guides the organization through the CAO. As a result, Council is responsible for ensuring that it has a plan in place to ensure an orderly transition from one CAO to another whenever that needs arises. Our Succession Plan is based on our desire that the organization continue to function in a responsive manner despite any changes in our administrative leadership and particularly during a transition period, when we are in the process of recruiting a new CAO.

Council's policy is that it will ensure that an interim CAO is appointed in the absence of our CAO and that our succession plan is followed; that Council is afforded the time and resources necessary to ensure that the best candidate for any vacancy CAO position is identified; and that the future needs and aspirations of the Town as Council understands these to be will be a part of any decision as to a replacement for the outgoing CAO.

**Linkage to Other Council Documents**

The Succession Policy is but one of a series of inter-linked policies and strategies that will ensure that Town of XXXXX continues to be recognized as an "employer of choice". This Policy is also directly linked to *Council's recruitment policy (see Policy #xxxx)* and recruitment plan for the position of CAO.

### **The Mayor: The Expectations-The Challenges-The Results**

#### **Part One-The Functions and Expectations of a Mayor**

As the chief elected official of communities across Canada, the Mayor holds a position of public prestige and importance. The Mayor's position is one which, fulfilled as intended, can bring considerable benefit to a community. It is also evident, based on evidence where these powers have been misrepresented or poorly displayed, that the Mayor can have a very negative impact on how well local government is understood and discharged. Fortunately, in the vast majority of instances, Canada is well-served by the men and women who hold this important office.

#### **Powers Often Misunderstood**

It is, however, evident that the role, powers and influence of the chief elected official of any community (normally and herein referred to as Mayor) are greatly misunderstood. With this misunderstanding, problems are inevitable.

The Mayor is not the governor, nor the police chief, nor the Councillor, nor the chief administrative officer (otherwise known as City Manager or Administrator or Chief Executive Officer), nor the head of public works, nor the City Clerk nor the final authority. And yet, in some communities, the Mayor seems to have either taken on such roles or has been accorded same by virtue of expectations and treatment by others or as a result of the personality of the Mayor.

#### **Principal Functions**

As I noted in my book "Cuff's Guide for Municipal Leaders", the principal functions of the Mayor (also known in some quarters as Chief Executive Officer, Warden, Reeve or Chairman) can be categorized into the following four key groupings (these may differ slightly based on the legislation in individual Provinces):

##### **• Leadership Functions**

- chair of regular meetings of council
- consensus-seeker on behalf of all members
- key spokesperson to the community and to the municipal organization

- key linkage in the establishment of council committees; ex officio to internal standing committees; may recommend and/or appoint members to both internal and external boards and committees
- may make recommendations re: peace, order, good government
- **Communication Functions**
  - brief council members on all key meetings held by the Mayor
  - key signing authority for council correspondence
  - primary liaison with the chief administrative officer
  - primary liaison with the public
  - key linkage and spokesperson to other levels of government
  - primary spokesperson vis-à-vis the decisions of council to the outside world; expresses the “will of council”
- **Monitoring functions**
  - act as council’s eyes and ears in maintaining an overseeing role with regard to the conduct of municipal officers
  - recommend the suspension of a municipal officer or employee (if necessary)(note: this power is not held commonly across Canada)
  - ensure that the law is carried out (again, much of this is presumed to be delegated to the CAO)
- **Representational functions**
  - acts in an “ex officio” capacity to boards and committees
  - performs a ceremonial role on special occasions
  - main spokesperson to other levels of government.

These functions are described in more breadth in the above-noted text. What follows represents an extension of those thoughts and, hopefully, the introduction of some additional ideas.

### **The Expectations of the Office**

The fact that the Mayor has more perceived influence than other members of Council is apparent to most. By virtue of the office, the person occupying the role is accorded power and influence only dreamed of by other members of Council. (That may not become a problem unless one of the other members of Council perceives the Mayor to be less dynamic and surely less intelligent than the Councillor! This is not as infrequent an occurrence as one might imagine).

### **The Mayor as an Advocate for the Public**

Surely one of the most significant roles which any Mayor can and will play is that of acting as the advocate for the public. Those who have felt that their rights have been disregarded or downgraded may see the Mayor as their ally. Those with a cause or axe to grind or crusade to fulfill will often find their way to the Mayor by a phone call, letter, e-mail, public appeal or via an in office visit. Many see this as their first avenue of justice while others would not think of pursuing this route unless the issue is, in their minds at least, a crisis or of singular importance.

The Mayor then needs to consider his/her options. These might include: saying “no”; referring the matter to the CAO or a department head; asking the Clerk’s office (or Council secretariat) to investigate or put the matter onto an agenda; making a call on the spur of the moment to the person deemed most responsible or most likely to be empathetic. In no instance, however, should the Mayor promise any particular action other than the action of referral or seeking additional information. Otherwise, the Mayor is placed in the dubious position of dictating a solution which may or may not be justifiable once the rest of the story has been heard or investigated. The experienced Mayor may promise action but it will be in the form of “I’ll have this looked into and we’ll get back to you”. Using the expression “that’s interesting” is also a reasonable course of action as it implies no particular response!

To the average citizen, however, having their matter heard by the Mayor is tantamount to fulfilled justice. The Mayor’s office is accorded such significant importance that any action beyond the hearing is often considered a bonus. In the final analysis, however, it

is clear that the Mayor is perceived by those in need as “their advocate”. Trying to dissuade someone of this perception would be difficult indeed.

### **The Mayor as the Leader of Council & the Community**

The Mayor is, or should be, expected to lead. Unless the Mayor has proven to be incapable of leading a two-entry parade, most citizens and often, many Councils, expect the Mayor to exercise the leadership potential of their office. This may be due to:

- ❑ The increased prominence of the Mayor’s office
- ❑ The added administrative resources which may accrue to the Mayor’s office
- ❑ The fact that the Mayor is notified of issues before other members of Council
- ❑ The closer relationship which generally marks the Mayor-CAO interface
- ❑ The ongoing attention paid to the Mayor by the media (in comparison to other members of Council-often regardless of how colourful or controversial other members may become).

The Mayor needs to be sufficiently astute so as to recognize an issue as they develop. If the Police Chief reports an unusual upswing in gang violence, the Mayor should not need to await the appointment of a task force to confirm the matter. Citizens expect that the Mayor will publicize the problem and give full assurance of the Council’s support to the Chief in seeing the problem addressed. (You will note that this does not mean promising an immediate increase in the number of uniformed police-which may or may not be needed. Such a commitment is not the Mayor’s to make even though having the issue addressed by the administration or referring it to the Police Commission may be appropriate). If the issue is one of proposed budget and therefore tax increases, the Mayor might want to lead by expressing the view that all of Council is equally concerned and that a thorough review would precede any tax increase. Further, the Mayor may want to express the notion that a visit with the Province is in order given the limitations placed by Provincial Governments on revenue sources. Simply saying nothing in response to administrative projections is not acceptable. Neither is making firm commitments other than the promise to investigate (as I point out later).

Leadership requires vision, commitment and character. It is more readily described than fulfilled. The Mayor must be able to see further, see first and see with clarity. Key issues



need to be described with passion and persuasion. The process for ensuring that the issue not be allowed to drift away needs to be articulated. The Mayor ought to be able to count on Council support at least to ensure key issues are fully investigated by the administration.

### **The Mayor as Servant**

Less one be lead to believe that I am in favour of placing the Mayor on an unnatural pedestal of unchallenged authority, I offer this observation. The Mayor, who is to be first amongst equals, needs to learn to be servant of all. No one who wants to be successful in any aspect of life can be sure of this perception if those making the assessment are never given the assurance that their needs are accorded a reasonable degree of priority. That is, a Mayor who will be judged by his or her colleagues as most successful will be the person who places the needs and aspirations of their colleagues before their own. While this takes more maturity than God has apparently granted to most, a successful Mayor understands this equation.

To achieve, you need to help others hit their targets or at least be seen to do so. The Mayor needs to spend time with his or her colleagues on a one-to-one basis in order to understand who they are, their backgrounds, their perception of big picture issues, their local concerns and their future plans. This should not be relegated as unimportant but, rather, viewed as an absolute essential plank in building a coalition that will withstand the vagaries of political life.

The Mayor is the servant of the people and holds office at their pleasure. Regardless of length of tenure or popularity in the most recent election, the only certainty of public office is the reality that some day the present office-holder will vacate it. (As I describe to my audiences, I went from being "Your Worship" to "Your Washup" in one evening- fortunately, voluntarily)! The Mayor needs to ensure that he or she does not seek to "lord it over" others nor to seek unfair advantage at the expense of others. The Mayor should not use the office to gain position for future gains or other political office (there is none higher, by the way). The Mayor should be referred to respectfully by everyone while in that office but will inevitably become who they were at home before attaining such lofty

heights. (Thus, for example, the Mayor's spouse should not be expected to roll over in the morning and say "Good morning Mr/Mrs) Mayor).

Successful leaders serve others and do so willingly.