



Closed Meeting Policy & Procedures

Purpose

The Township of Southgate supports the principles of open and accountable governance. The purpose of this policy is to provide clarity on when closed meetings are to be held and the processes to be followed. This document will serve as the established practice for the Township of Southgate in relation to closed session materials.

Application

Section 239 of the Municipal Act, 2001 (the Act) as amended establishes the parameters under which a municipality, board or committee may go into closed session to discuss an item. The Act also requires that minutes be recorded of closed meetings.

This policy applies to Council, Committees, Boards and staff so as to increase the accountability and transparency of the municipal decision making process.

Procedures

Agenda

Council agendas shall include a section entitled "Closed Meeting". This will enable Council the opportunity to go into closed session to discuss all closed session items that are before Council at that particular meeting. This does not preclude a Member from requesting the opportunity to go into closed session during the discussion of specific reports and recommendations.

Staff Reports

Staff who are considering labeling a report "confidential" and is therefore to be considered in closed session should seek advice and approval from the CAO or the Clerk to ensure that the subject matter meets the criteria for a closed meeting discussion.

Resolution to go into Closed Session

A resolution to go into closed session should voluntarily disclose as much information in the resolution as possible. The reason must meet the criteria as set out in the Act and must also include the general nature of its subject matter.

It is recommended that if staff is aware of an upcoming closed session item, that they seek advice on the wording of the appropriate resolution from the Clerk or the Deputy Clerk.

Discussion and Voting

Voting during closed meetings is restricted to procedural matters or for giving directions or instructions to officers, employees or agents of the municipality or persons retained by, or under a contract with, the municipality.

The Mayor/Chair shall prohibit discussion of any matter that was not disclosed in the resolution authorizing the closed meeting.

Minutes

Closed meeting minutes are taken by the Clerk. In the event the Clerk is excused from the closed portion of the meeting, the Deputy Clerk, or other person with delegated authority, will document the proceedings.

Approval of Closed Meeting Minutes

Approval of closed meeting minutes shall be at the next available meeting after the minutes have been completed and shall be voted on in open session. Should any member have any issue or discussion involving the passage of the minutes, the minutes shall not be passed at that time, but will be added to the next closed session and approved in open session immediately following the closed session they were discussed at.

The minutes shall be distributed to the members via secure electronic distribution. No printing, saving or reproduction of any closed session documents is permitted by any Member.

Access to Minutes and Background Reports

Closed meeting documents shall be circulated to the members either prior to the closed meeting via a secure electronic distribution or during the appropriate meeting on coloured paper.

Any documents handed out shall be handed in to the Clerk prior to returning to open session.

No printing, saving or reproduction of any closed session documents is permitted by any Member.

All closed meeting documents shall be held by the Clerk in a secure location. Once the closed meeting has taken place, all documents from that meeting shall be removed from being accessed electronically. In the event that Members of Council wish to view the contents of confidential closed sessions, they may do so by requesting access from the Clerk during regular office hours. Access shall be granted within the Township Office and all materials are to be returned once the review has been completed.

Notes Taken During Closed Session

Any notes taken during a closed session, either hand written or electronically, become the property of the Township of Southgate and shall be kept in a secure location filed by the members' name and kept with all closed session minutes and background reports. Forthwith these files shall be referred to as "Personal Closed Session Notes". These files may be handed out to the members at the beginning of each closed session as required and are to be returned to the Clerk prior to the end of the closed session. Only one (1) year of personal closed session notes shall be held at any time unless requested otherwise by the member. The Clerk shall review the files semi-annually and cause to have any materials shredded after the 1 year lapse. Should any Member not be re-elected for a further term, all material included in their personal closed session notes file shall be shredded by the Clerk prior to the Inaugural Meeting of the new Council.