



Policy #76

Policy Title: Council-Staff Relations Policy

Approved by Council on: February 6, 2019

Policy Statement:

The Corporation of the Township of Southgate will promote a respectful, tolerant and harassment-free relationship and workplace between Members of Council and the officers and employees of the corporation, guided by the Code of Conduct for Members of Council, the Code of Conduct in the Municipal Employee Policy Manual, Respect in the Workplace (Harassment and Violence) Policy, and the Procedure By-law.

Scope:

Application in accordance with Section 270 of the Municipal Act, 2001, this policy applies to all Members of Council and officers and employees of the corporation.

Purpose:

This policy provides guidance on how the Township of Southgate ensures a respectful, tolerant and harassment-free relationship and workplace between Members of Council and the officers and employees of the corporation.

Roles and Accountabilities:

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

Joint Role of Council Members and Staff

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

Role of Council Members (Mayor and Councillors):

- The role of Council as a whole as expressed collectively through is three-fold:
 1. **Representative role** – to represent constituents in dealing with issues before Council, keeping the greater good of all constituents in mind
 2. **Policy role** – to make policy and establish general principles to guide future actions and decisions

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

- Councillor requests for information or service that are readily available to the public shall be provided to Members in the same manner as it is provided to the public.
- Councillor requests for new information or service, requiring a commitment of resources (e.g., investigation, analysis, expenditures) beyond the normal course of public service delivery levels shall only be provided after being authorized by the whole of Council through a resolution.
- Councillor requests for staff participation and attendance at Councillor-organized community events or meetings shall be in keeping with existing procedures and service levels and shall ensure that the Chief Administrative Officer is aware of and in agreement with the community meeting logistics, purpose and outcomes.
- Councillor direction or requests to staff to undertake an action, expend funds, commit resources beyond the normal course of public service delivery levels, or prepare a staff report to Council or a committee, shall only be acted upon by staff when authorized by the whole of Council through a resolution.
- The Mayor, an individual Councillor or informal groups of Councillors cannot make a decision on behalf of the Council unless authorized by Council or statute.
- Council Members should, to the extent possible:
 - discuss issues with staff and advise staff of questions prior to public meetings where the issue will be heard;
 - request advice from the Clerk about the appropriate wording of motions, amendments and formal staff directions in accordance with the Procedural By-law;

Role of Staff:

The role of staff is to provide advice, support and recommendations to Council collectively and to Council Members individually, and to implement Council decisions in keeping with legislation, Town policy and procedures.

- Staff responses to a Councillor on specific issues (e.g., complaints, questions, requests) will be provided to all Councillors for consistency.
- Staff responses to a Councillor on Township or Corporate issues will be provided to all Council Members for consistency.
- Staff responses to requests from Council Members for readily-available public information shall be provided within 2 business days whenever possible.

Respectful Reporting Relationship

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

Respect for Time Priorities

Timelines must be respected by all Council Members and staff. It is expected that all participants will be well prepared for meetings and will prioritize appropriately, according to direction given by management or Council. Staff will spend time on significant projects only once direction is

given by Council to do so. Appointments will be made for meetings between staff and Council Members in order to ensure that all parties are available and prepared for the discussion.

Expectations of Information Flow Outside of Regular Business Hours

It will not be expected that responses will be sent or actions taken by staff outside of regular administrative business hours, with the exception of emergencies as defined by the Emergency Response Plan for the Township.

Input and Direction from Council Members

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

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

Council Input	Staff Requirement to Report Back	Staff Requirement to Take Action
An individual member of Council provides input on administrative/operations matters (For example, informally or during a meeting)	No	At staff's discretion or at the direction of the CAO
A Committee of Council gives direction to staff through the CAO regarding administrative/operational matter through a resolution	Yes	Yes
A Committee or Council approves a staff recommendation	As directed by Council/CAO	Yes

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

Policy Principles:

The relationship between Members of Council and the officers and employees of the corporation is guided by the following:

1. Code of Conduct for Members of Council

The Code of Conduct for Members of Council establishes the ethical behaviour expected of Members of Southgate Council and is intended to set a high standard of conduct for Members in order to provide good governance and a high level of public confidence in the administration of the Township by its Members as duly elected public representatives to ensure that they each operate from a foundation of integrity, transparency, justice, truth, honesty and courtesy.

Members of Council will not:

- Maliciously or falsely injure the professional or ethical reputation of employees;
- Compel employees to engage in partisan political activities or be subjected to threats or discrimination for refusing to engage in such activities; or
- 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 employee's duties."

2. Code of Conduct in the Corporate Policy Manual, Policy #9

The purpose of the Code of Conduct states that it "applies to all Members of the Council of the Township of Southgate, including the Mayor and, unless specifically provided, with necessary modifications to all Township committees, agencies, boards and commissions, which are defined as local boards in the Municipal Act, 2001.

The purpose of this Code of Conduct is to establish a general standard to ensure that all Members share a common basis for acceptable conduct, and to which all Members are expected to adhere to and comply with. This Code of Conduct augments other laws which Members are governed by and which requires Members to follow the Procedural By-law and other sources of applicable law, including but not limited to:

- Municipal Act, 2001
- Municipal Conflict of Interest Act
- Municipal Elections Act, 1996
- Municipal Freedom of Information and Protection of Privacy Act
- Human Rights Code
- Occupational Health and Safety Act
- Provincial Offences Act
- Criminal Code.

3. Respect in the Workplace (Harassment and Violence) Policy, Policy #33B

The Respect in the Workplace (Harassment and Violence) Policy states as follows:

"The Corporation of the Township of Southgate is committed to providing and maintaining a working environment that is based on respect for the dignity and rights of everyone in the organization. It is the goal of the Township of Southgate to provide a healthy and safe work environment that is free from any form of harassment or violence."

4. Procedure By-law

The Procedure By-law establishes rules, procedure and conduct within Council and Committee meetings. Specifically, Subsection 15.2 states as follows:

"Conduct of Members – No member shall:

- a) speak disrespectfully of any member of Federal or Provincial parliaments, Council or employee of Southgate;
- b) use offensive words or un-parliamentary language;
- c) engage in private conversation while in a Council meeting or use electronic devices (including cellular phones and pagers) in a manner which interrupts the proceedings of Council;
- d) leave his/her seat or make any noise or disturbance while a vote is being taken and until the result of the vote is announced;
- e) speak on any subject other than the subject under debate;
- f) where a matter has been discussed in closed session and where the matter remains confidential, disclose the content of the matter or the substance of deliberations of the closed meeting;
- g) criticize any decision of Council except for the purpose of moving that the question be reconsidered; or

h) disobey the rules of Council or a decision of the Chair or of Council on questions of order or practice or upon the interpretation of the rules of Council. In case a member persists in any such disobedience after having been called to order by the Chair, the Chair shall not recognize that member, except for the purpose of receiving an apology from the member tendered at that meeting or any subsequent meeting.”

Responsibilities Members of Council and officers and employees of the corporation are required to adhere to this policy and its governing provisions, including the Code of Conduct for Members of Council, the Code of Conduct in the Municipal Employee Policy Manual, Respect in the Workplace (Harassment and Violence) Policy, and the Procedure By-law.

Monitoring/Contraventions

The Chief Administrative Officer shall be responsible for receiving complaints and/or concerns related to this policy. Upon receipt of a complaint and/or concern, the Chief Administrative Officer shall notify:

1. In the case of officers and employees of the corporation, the Director responsible for the employee; or
2. In the case of Council, the Integrity Commissioner, or municipal solicitor if an Integrity Commissioner has not been appointed.

Where there is a discrepancy between the Council-Staff Relations Policy and the Code of Conduct for Members of Council or the Code of Conduct in the Corporate Policy Manual, the language of the Code prevails.

Legislative and Administrative Authorities

Section 270 of the Municipal Act, 2001, as revised by Bill 68 requires Council to adopt and maintain a policy with respect to the relationship between Members of Council and the officers and employees of the corporation.

The Council-Staff Relations Policy identifies the legislation, policies, procedures and practices that the Municipality complies with in order to promote a respectful relationship between Members of Council and the officers and employees of the Township of Southgate.