

Township of Brock Corporate Policy



Policy Name: Council-Staff Relations Policy

Policy Type: Administration

Policy Number: AP-43

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Approval By: Committee of the Whole

Point of Contact: Clerk's Department

1. POLICY STATEMENT

The Township of Brock recognizes the importance of Council-Staff relations and encourages communication between staff and Council. Council and Staff have complementary but exclusive roles in maintaining good governance and the provision of exemplary public services. Mutual respect for these roles and the boundaries between them, and clear and supportive communication between Members of Council and Staff are essential to achieving the Township's stated objectives.

2. BACKGROUND

The Municipal Act, 2001 S.O. 2001, c.25, s.270(1) requires that all municipalities adopt and maintain a policy regarding the relationship between Members of Council and staff.

The Act also sets out the core responsibilities of the Mayor in s.225 and s.226, Members of Council in s.224, and staff in s.227.

This Policy is part of a broader framework of policies that support productive working relationships between Members of Council and staff. These policies include the:

- Accountability and Transparency Policy;
- Code of Conduct Policy;
- Harassment and Violence Policy;
- Use of Corporate Resources Policy;
- Procedure By-law;
- Customer Service Policy;
- Social Media Policy;
- Public Engagement Charter.

This document is available in alternate formats upon request.
Please contact the Clerk's Department at 705-432-2355 or clerks@brock.ca.

3. PURPOSE

The purpose of this policy is to guide the nature of business interactions between Members of Council and Staff and provide a framework for that relationship. It is recognized that Council and Staff have different roles within the organization, but they share common goals and purposes. Staff and Council rely on one another to move the municipality forward. Council provides political leadership while Staff provide leadership, experience and expertise to implementing Council decisions.

4. SCOPE

This policy applies to Members of Council and all Town Staff and is intended to complement the Procedural By-Law and the Code of Conduct. If there is a discrepancy between this policy and the Procedural By-Law or the Code of Conduct, the Procedural By-Law or the Code of Conduct will prevail.

This policy provides requirements on how the Township of Brock will ensure a respectful, tolerant, and harassment-free relationship and workplace between Members and Staff.

Communication between Members of Council and Staff is encouraged. To promote a productive working relationship, communication should be empowering and enabling by providing information as required to support Members of Council and Staff in fulfilling their respective roles, while respecting that:

- Communication may be limited because of legislated confidentiality and/or privacy restrictions;
- Communications should be restricted to routine and non-routine matters, as defined in this policy;

Direction to Staff is provided only by resolution of Council through the Chief Administrative Officer, no Member of Council has authority to direct the performance of any work carried out by staff.

5. DEFINITIONS

Chief Administrative Officer (CAO): The Chief Administrative Officer of the Township

Clerk: The Township Clerk

Code of Conduct: The Code of Conduct for Council, Local Boards and Committee Members

Council: The Council of the Corporation of the Township of Brock

Mayor: The Head of Council as defined in the Municipal Act, 2001, as elected to represent the Township

Meeting: any regular, special or other Meeting of a Council or a Committee

Member of Council: any person duly elected or appointed to serve on the Council of the Township

Non-routine Matter: a communication, request for information or service that is not typically undertaken in the ordinary course of business, and/or for which there is no routine process, procedure, guideline or convention to guide Staff

Officers: certain staff (e.g., Chief Administrative Officer, Chief Building Official, Clerk, Fire Chief, Treasurer, etc.) who have duties or accountability provisions set out in specific legislation

Procedural By-Law: The Procedural By-Law of the Township

Routine Matter: a communication by a Member of Council with Staff (in person, in writing, by phone, by text, or other electronic means) which requires no expenditure of unbudgeted resources, and:

- a) in the ordinary course of business constitutes a type of communication that would normally occur between a member of the public and Staff;
- b) constitutes a request for information that is routinely produced by Staff in the course of their duties; or,
- c) constitutes a request for a service that is routinely done by Staff in the course of their duties

Staff: continuous full-time employees, other-than continuous full-time employees (e.g., part-time, contract, etc.), and volunteers who perform work for or delivers services on behalf of the Township (excludes Council, Board and Committee members)

6. ROLES AND RESPONSIBILITIES

1. **Council's role** is to support the municipality and its operations while ensuring the public and municipality's well-being and interests are maintained. Council as a whole, not individual Members of Council, are responsible to provide direction to Staff through the CAO on the development and evaluation of policies, programs, and services, and to assign overall capital and operating financial resources.
2. **The Mayor's role** is as Chief Executive Officer of the municipality. The Mayor does not have any more power than any other Member of Council to make decisions on behalf of the municipality.
3. **Members of Council have the following roles:**
 - a. Members of Council shall act in a way that enhances public confidence in local government.
 - b. **Representative** – elected by constituents to represent their views when dealing with issues that come before Council while understanding issues that impact the municipality as a whole. Balancing their constituents' interests with the interests of the municipality.
 - c. **Policy-maker** – establish the principles and direction that may determine the municipality's future actions.
 - d. **Steward** – ensure the municipality's financial and administrative resources are being used as efficiently as possible, monitors implementation of its approved policies and programs.

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- e. Members shall respect the role of Staff and shall refrain from engaging in administrative matters. When a Routine Matter or Non-routine Matter has been forwarded to Staff, the Member shall refrain from interfering with Staff's carriage of the matter.
- f. Members are strongly discouraged from interfering in matters (e.g., inspection, enforcement, etc.) that are under the authority of certain Officers of the municipality.

4. Staff have the following roles:

- a. Provide information and advice to help inform Council's policy decisions; implement policies approved by Council.
- b. Staff shall respect that Member's time is valuable. Reports and presentations to Council should be concise to the extent possible, while still ensuring all necessary information is communicated to Council.
- c. Managing day to day activities and implementing and administering Council's approved policies and programs.
- d. Some Officers of the municipality may have their duties or have accountability provisions set out in specific legislation (e.g., Municipal Act, Ontario Building Code, Ontario Fire Code, etc.).

7. PROCEDURE

1. Process for Inquiries

- a. Member of Council requests to Staff for:
 - i. **Routine matters** – When a Member desires to bring a matter to the attention of Staff on behalf of a member of the public, such as to ask a question or to act in a representative capacity for a resident, the Member is asked to communicate only with the CAO or designated senior Staff.
 - ii. **Clarification** – A Member is encouraged to contact the appropriate Staff prior to a meeting to raise questions or clarify issues relevant to a matter on the agenda. Members shall not give direction to Staff except through majority vote (as defined in the Procedural By-Law).
- b. Staff responses to a Member of Council on specific issues (e.g., complaints, questions, requests, etc.), on corporate issues, or requests for information that were not received and answered at a meeting, are to be responded to in writing and provided to all Members and the CAO for consistency and transparency.

2. Realistic Expectations

- a. Members of Council and Staff shall set reasonable expectations of each other, including providing reasonable timelines to accomplish tasks, and having respect for off-hours communications between Members and Staff;
 - i. Responses should occur within two (2) business days.

- b. Providing clear goals and direction are necessary in order to hold each other accountable for the accomplishment of tasks.
- c. Develop policies in an open and consistent manner and adopting policies that complement and reinforce Staff efforts to improve administrative operations.
- d. Consulting with Staff before deciding on policies and programs.

3. Complaint Mechanism

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

- a. The CAO in the case of Staff; or,
- b. The Integrity Commissioner in the case of a Member of Council.

Complaints shall be handled in accordance with the Code of Conduct or applicable policy.

4. Guidelines for Respectful Working Relationships

- a. Staff will address Members of Council using the appropriate title (e.g., Mayor, Deputy Mayor, Councillor, Chair, etc.) in all business interactions.
- b. Appointments will be made for meetings between Staff and a Member/Members of Council to ensure all parties are available and prepared for the discussion.
- c. Staff are not expected to respond to or take action on a Member of Council request outside of normal working hours except in the case of emergencies.
- d. If a Member of Council requests information or a service that is available to the public, the information or service shall be provided in the same manner as it would be to the public.
- e. Members of Council can help Staff by:
 - i. Being aware of the range of duties and responsibilities of Staff.
 - ii. Treating Staff respectfully and considerately.
 - iii. Directing inquiries through the appropriate processes.
 - iv. Providing clear direction.
 - v. Preparing for Council meetings.
- f. Staff can help Council by:
 - i. Providing agendas with supporting materials.
 - ii. Providing information and analysis to make Council's decision-making easier.
 - iii. Notifying Council of changes to legislation and programs.
 - iv. Providing advice on policy.
 - v. Notifying Council of any unintended/unexpected impacts of policy decisions.
 - vi. Implementing Council decisions effectively and professionally.

5. Reporting Relationships between Staff and Council

- a. Staff are responsible to his/her direct supervisor and CAO as established in the formal organization structure of the Town. No Member of Council has the

authority to direct or interfere with the performance of any work being carried out by Staff.

- b. This policy is not intended to inhibit a Member of Council from carrying out their duties. It does require, however, that prior to communicating directly with Staff on behalf of a member of the public, the Member consider the following preferred courses of action:
 - i. The member of the public be referred to the appropriate Staff by providing contact information or reference to established corporate procedures.
 - ii. For Routine Matters, where it is necessary to do so in order to provide an appropriate level of customer service to a member of the public, the Member may attend at a public counter or provide an introduction to Staff normally accessible to member of the public. In so doing, the Member should not interfere with Staff nor attempt to influence an outcome.
 - iii. Members must exercise extreme caution when dealing with inspection or enforcement matters. Members cannot supply evidence indirectly, and so constituents should be guided to deal directly with inspection or enforcement Staff without intervention. Members must not obstruct, interfere, or otherwise attempt to influence Staff performing inspection or enforcement functions, including attempting to discourage the filing of a charge.