



CITY OF VAUGHAN

CORPORATE POLICY

POLICY TITLE: COUNCIL STAFF RELATIONS

POLICY NO.: Policy number to be assigned by Policy Coordinator.

Section:	Human Resources		
Effective Date:	April 1, 2019	Date of Last Review:	April 1, 2019
Approval Authority: Council	Policy Owner: City Manager		

POLICY STATEMENT
<p>The City of Vaughan, guided by its values of Respect, Accountability and Dedication, will promote an environment of mutual respect and trust and will support sound decision making based on knowledge, areas of expertise and sound judgment. Members of Council and Staff shall demonstrate leadership, commit to a high-degree of confidentiality, support and enhance public education about the political and decision-making processes and will refrain from publicly criticizing Members of Council, Staff or any decision of the Corporation.</p>
PURPOSE
<p>The purpose of this policy is to ensure that the relationship between Members of Council and Staff of the Corporation is co-operative, supportive and positive with a clear understanding of the respective roles and responsibilities.</p>
SCOPE
<p>This policy applies to all Municipal Staff, Officers and Members of Council in their interactions with Staff, volunteers, consultants and contractors that work on behalf of the Corporation. This policy applies to all interactions, including on-site and off-site of City facilities, before, during and after work hours.</p>

POLICY TITLE: COUNCIL-STAFF RELATIONS

POLICY NO.: XX.X.XX

LEGISLATIVE REQUIREMENTS

Section 270 (1) of the *Municipal Act, 2001* as amended, requires City Council to adopt and maintain a policy with respect to the relationship between Members of Council and the Staff of the Corporation. The effective date of this requirement is March 1, 2019.

DEFINITIONS

1. "Members(s) of Council" means a member or members of the municipal council of the Corporation of the City Vaughan.
2. "Corporation" refers exclusively to the City of Vaughan.
3. "Officer(s)" means a person who holds a position of responsibility with definite rights and duties by statute or by-law.
4. "Staff" means any of the following:
 - a. A person, not including Members of Council, who performs work for the Corporation for wages;
 - b. A person who supplies services to the Corporation for wages;
 - c. Such other persons as may be prescribed who perform work or supply services to the Corporation for no monetary compensation.
5. "Senior Management" means a staff member who is either a department head or holds the title of Director, Chief, Deputy City Manager and or City Manager
6. "*Code of Ethical Conduct for Members of Council*": Establishes rules that guide Members of Council in performing their diverse roles in representing their constituents and recognize Members' accountability for managing City resources allocated to them. Is a written Code of Ethical Conduct to protect the public interest and helps to ensure that the Members of Council share a common basis for acceptable conduct. These standards are designed to provide a reference guide and a supplement to the legislative parameters within which the members must operate.
7. "*Employee Code of Conduct*": Establishes that City employees must follow standards of ethical and professional behavior in the course of their work to ensure that public confidence and trust is maintained. This code establishes standards designed to promote and protect the public interest through honest and ethical conduct which enhances public confidence and trust in the integrity, objectivity and impartiality of the City.

POLICY TITLE: COUNCIL-STAFF RELATIONS

POLICY NO.: XX.X.XX

POLICY

Clarifying Roles

I. Role of Council

Policy focus: Represent the Corporation, provide direction and create policy. Specifically Section 224 of the Municipal Act, 2001 states:

224. It is the role of council,

- b) to represent the public and to consider the well-being and interests of the municipality;
- c) to develop and evaluate the policies and programs of the municipality;
- d) to determine which services the municipality provides;
- e) 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;
- f) to maintain the financial integrity of the municipality; and
- g) to carry out the duties of council under this or any other Act.

I. Role of Head of Council (Mayor)

Section 225 of the Municipal Act, 2001 defines the role of the Mayor as follows:

225. It is the role of the head of council,

- a) to act as chief executive officer of the municipality;
- b) to preside over council meetings so that its business can be carried out efficiently and effectively;
- c) to provide leadership to the council;
- c.1) without limiting clause (c), to provide information and recommendations to the council with respect to the role of council described in clauses 224 (d) and (d.1);
- d) to represent the municipality at official functions; and

e) to carry out the duties of the head of council under this or any other Act.

Section 226 sets out special responsibilities of the chief executive officer which include:

- 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.

The head of council has a prominent and very public profile. Many citizens within the City of Vaughan will have high and often varied expectations for the head of council. The head of council must find a way to balance these expectations and special responsibilities.

Municipal decisions, however, 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. Each member of council only has one vote.

II. Role of the City Manager

Direction Focus: The City Manager leads in three dimensions. Up to Council, down to staff and out to the community stakeholders. The City Manager is responsible for providing professional advice to Council and leading staff in the implementation of Council's direction / policies. The City Manager specific responsibilities are outlined in the City Manager's By-Law 012-2013.

III. Role of Senior Management:

Direction Focus: Act as the liaison between Council and Staff, direct implementation of Council's policies, hire and develop a team of competent Staff.

IV. Role of Staff and Other Officers:

Implementation Focus: Research policy and programs give best professional advice, implement decisions of Council, fulfill statutory duties, follow direction of City Manager generally see to the operation of the Corporation.

POLICY TITLE: COUNCIL-STAFF RELATIONS

POLICY NO.: XX.X.XX

Guiding Principles

“Council should give the City Manager clear and unequivocal responsibility and accountability for the overall management of the administration of the City. Not doing so undermines the City Manager’s effectiveness...”

“Although the Mayor can properly be involved in hiring the City Manager, there should be a clear division of responsibility between the Mayor and the office of the City Manager – a separation of the political from the administrative...”

Madam Justice Denise Bellamy,

Toronto External Contracts Inquiry, 2005, p. 424

I. Respect

Members of Council, Staff and Officers shall work hard at fostering a climate of mutual respect. Each must be respectful of each others’ intelligence and professional duties. Members of Council, Staff and Officers must understand that they all face different, often unique, challenges and recognize their overarching goal is to serve the best interests of the Municipality.

II. Professionalism

Members of Council, Staff and Officers must treat each other with professionalism. When Council requests that Staff and Officers appear before Council, they must comply and be prepared for any questions Council has. Advance notice of questions to Staff provides an opportunity for Staff to provide quality reports and advice.

III. A Formal Relationship

Staff and Officers shall treat Council as a collective decision-making body. Staff and Officers shall not communicate directly with individual Members on municipal business, rather they must communicate on such matters through the City Manager or appropriate Senior Management Member as designated through the City Manager. Information from the City Manager shall be communicated to all Members. Staff and Officers shall stay out of political lobbying.

IV. Politics or Management – Not Both

Council provides direction, Staff and Officers give professional advice and implement Council's directives. Members of Council are not elected to be technical experts nor to act in their professional capacities. Likewise, Staff and Officers are not politicians. Advice comes from Staff, policy and service delivery decisions are made by Council.

V. Control Anger

Members of Council should avoid the temptation to play up divisions or conflicts. Staff and Officers shall not be targets of derisive/vexatious comments/behaviour/conduct. The public expects Members to do the job that they have been elected to do. The public expects Staff and Officers to do the job that they have been hired to do. Comments on Staff and Officer performance shall be directed through the appropriate confidential performance reviews.

VI. Represent the Whole Community

Members, together with the Municipality's Staff and Officers, work for the public good. Decision making by Members should be based on complete information and unbiased recommendations from Staff and Officers. Members should, in addition to such information and recommendations, rely on their own judgment and show leadership in their decision making.

VII. Council Time is Valuable

Members should not allow presentations by Staff or Officers to consume all of the time they have to debate various issues. Such presentations should, to the extent possible, be concise. Members of Council should understand they can take any one or more of the following actions where appropriate:

- Recommend that more items be relegated to the 'consent' agenda;
- Pass on an audio-visual presentation;
- Urge Staff or Officers to be more concise;
- Require multiple public delegations with essentially the same point to select a spokesperson, or to impose a limited speaking time, or to provide information in advance or in written form; and/or
- Enact 'curfew' procedures for Council deliberations.

VIII. Make Good Use of Staff's Time

Members of Council should use the resources of Staff and Officers judiciously. Reports cost taxpayer money and take Staff and Officer time away from other issues or problems that may need attention. Members should be discouraged from asking for reports as a means of getting past an unhappy public delegation. The public respects political courage and decisiveness.

IX. Respect the Chain of Command

Members of Council must understand they have no individual capacity to direct Staff to perform, or not perform functions or duties. The City Manager is responsible for Staff and Officers - Members of Council who need to engage with Staff and Officers must do so through the City Manager or Senior Staff. This would include both in person, verbal, written and electronic messages. Routine questions from a member of Council or access to information that is readily available to a member of the public can be provided by any knowledgeable staff member the same way we serve all citizens.

X. All Members of Council are Equal

Regardless of how they interrelate with Members, Staff and Officers must avoid favouritism and the appearance of favouritism. Differences in experience and abilities amongst Members of Council are irrelevant – they all must be treated equally.

XI. Members of Council are Public Figures, not Staff and Officers.

Once a matter is proposed or decided, Staff should only comment on matters of fact or history in discussing issues with the public and the media and should comply with the Corporate and Strategic Communications Press Releases policy. Dealing with the media is generally part of an elected representative's job.

Complaints

The City Clerk will 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) In the case of a Staff and Officers other than the City Manager or Clerk, the City Manager
- b) In the case of the City Manager or Clerk, Council or
- c) In the case of a Member of Council, the Integrity Commissioner

POLICY TITLE: COUNCIL-STAFF RELATIONS

POLICY NO.: XX.X.XX

ADMINISTRATION			
<i>Administered by the Office of the City Clerk.</i>			
Review Schedule:	Other (specify) Yearly	Next Review Date:	February 1, 2022
Related Policy(ies):	CL-009 – Delegation of Powers & Duties Policy HR-017 – Respectful Workplace HR-018 – Workplace Violence CC-005 – Social Media CL-011 – Code of Ethical Conduct for Members of Council XX-XXX – Anonymous Reporting System		
Related By-Law(s):	012-2013 – Roles and Responsibilities of the City Manager		
Procedural Document:			
Revision History			
Date:	Description:		
Click or tap to enter a date.			