

Schedule “A” to Bylaw No. 41-2021

Council Member – Staff Relationship Policy

Effective Date: May 18, 2021

Review Date:

Policy Statement

The Municipality of West Grey shall 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 Harassment and Violence in the Workplace Policy and the Procedural Bylaw.

Purpose:

The purpose of this policy is to set out a general standard to ensure that council members and staff share a common understanding of their respective roles and responsibilities as well as a common basis of their relationship, and to set out acceptable standards to govern their relationship and to which all council members and staff members are expected to adhere to and comply with.

Policy Requirements:

1. Code of Conduct for Members of Council
The Code of Conduct for members of council establishes ethical behavior expected of members of council.
2. Code of Conduct for Employees
The Code of Conduct for employees in the Municipal Employee Policy Manual establishes ethical behavior expected of all staff members.
3. Harassment and Violence in the Workplace Policy
The Municipality of West Grey has a harassment and violence in the workplace policy in place demonstrating that the Municipality of West Grey is committed to providing a work environment that is free of harassment and discrimination; that the Municipality of West Grey is committed to securing, maintaining, enforcing and reinforcing a workplace environment and workplace communications and interactions that are civil, respectful and valuing all members of our workplace community; and that the Municipality of West Grey believes in and promotes a harassment free workplace in which all parties respect one another and work together to achieve common goals.
4. Procedural By-Law

The procedural by-law also establishes rules, procedure and conduct within meetings of council and local boards/committees.

Application:

In accordance with paragraph 2.1 of subsection 270(1) of the Municipal Act, 2001, this policy applies to all members of council and officers and employees of the corporation.

Key Principles:

This policy is intended to set a high standard for relations between council members and staff in order to provide good governance and instill a high level of public confidence in the administration of the Municipality by its members as duly elected public representatives and its staff members as public administrators.

The following key statements of principle are intended to guide council members and Staff and to assist with the interpretation of the Policy:

- Council members and staff members shall recognize that positive internal relations are central to the collective ability of members of council and staff to provide good governance and instill a high level of public confidence in the administration of the municipality;
- Members and staff shall relate to one another in a respectful, professional and courteous manner;
- Members and staff shall understand and respect each other's respective roles and responsibilities; and
- Members and staff shall work together in furtherance of the common goal of serving the public good.

The above statements are key principles that are intended to facilitate an understanding, application and interpretation of the policy – these principles are not operative provisions of the policy.

Definitions:

The following terms shall have the following meanings in this policy:

“CAO/Deputy Clerk” means the Chief Administrative Officer/ Deputy Clerk of the Municipality of West Grey;

“Clerk” means the Clerk of the Municipality of West Grey;

“Council” means the Council for the Municipality of West Grey;

“Member” means a Member of Council;

“Municipality” means The Corporation of the Municipality of West Grey

“Policy” means this Council Member and Staff Relationship Policy;

“Mayor” means the head of Council;

“Staff” means all officers and employees of the municipality, and all officers, directors, managers, supervisors and all employees, whether full-time, part-time, contract, seasonal or volunteer employees, as well as agents and consultants acting in furtherance of the municipality’s business and interests.

Policy Requirements:

The relationship between members of council and the officers and employees of the corporation is guided by the following:

In all respects, Members and Staff shall:

- relate to one another in a courteous, respectful and professional manner;
- maintain formal working relationships in order to promote equality and discourage favoritism, which includes but is not limited to using proper titles during public meetings or formal business dealings;
- understand their respective roles and responsibilities, and appreciate and respect the roles and responsibilities of the other;
- work together to produce the best results and outcomes for the Municipality and always for the collective public interest of the Municipality; and
- act in a manner that enhances public confidence in local government.

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 Harassment and Violence in the Workplace Policy and the Procedure Bylaw.

Roles and Responsibilities of Members

Members acknowledge and agree that:

- Council as a whole is the governing body of the municipality, a collective decision-making body that governs, provides political direction and makes decisions as council;
- they are representatives of the entire municipality;
- Staff serve the whole of council rather than any individual member;
- they shall respect the administrative and managerial chain of command by:

- directing any questions or concerns in relation to the administration or management of the municipality to the CAO/ Deputy Clerk for his/her consideration, and to the mayor if concerns are directly related to the CAO/ Deputy Clerk;
- giving direction to staff only as council and through the CAO/Deputy Clerk, and refraining from becoming involved in the management of staff;
- Council members must respect the role of staff to provide advice based on objectivity and political neutrality and without undue influence from an individual council member or group of council members;
- no member of council shall use, or attempt to use, his or her power or authority to pressure, intimidate, threaten, coerce, or command a staff member in order to interfere with the staff member's duties
- they shall use staff time effectively, which includes but is not limited to only referring essential matters to staff for reports;
- they ensure any requests for information to staff that were not received at a meeting of council are made in writing and circulated in writing to all members;
- they understand that staff shall undertake significant projects only if they have been directed to do so by council through the CAO/Deputy Clerk;
- whenever possible, they shall notify the CAO/Deputy Clerk if staff is to be questioned at a public meeting to ensure staff has sufficient time to formulate an intelligent, informed and helpful response for the consideration of council and that any such questioning shall be undertaken with courtesy, respect and professionalism, and in no event shall there be any attempt to humiliate, berate, disparage or denigrate staff and that they shall refrain from publicly criticizing members of staff in relation to their intelligence, integrity, competence or otherwise;
- they shall at no time maliciously or falsely injure the professional or ethical reputation of any staff member and all council members shall treat staff with respect and courtesy;
- as individual members, they have no greater access to records or information held by the municipality than any member of the public and that they cannot access records or information otherwise protected from disclosure by the Municipal Freedom of Information and Protection of Privacy Act or in accordance with the process set out in that statute;
- they shall recognize staff are not expected to provide information or take action outside of regular administrative business hours, except in extenuating circumstances;

- certain members of staff are statutory officers and have specific statutory authorities, duties, powers and responsibilities that cannot be interfered with or derogated from;
- they shall at all times comply with any policies relating to council that the council may implement from time to time.

Roles and Responsibilities of Staff

Staff acknowledge and agree that:

- Council as a whole is the collective decision-making and governing body of the Municipality and is ultimately responsible to the electorate for the good governance of the municipality;
- they shall implement council's decisions and establish administrative practices and procedures to carry out council's decisions and any duties specifically assigned to them by council;
- they shall assist council in their decision-making process with respect to its decision, policies and programs by providing council with information based on professional expertise, research and good judgment in a professional and timely manner;
- they shall serve the whole of council rather than any individual member;
- all members are equal and shall be treated as such and always with courtesy, respect and professionalism;
- they shall respond to inquiries from council and provide appropriate and timely follow-up to such inquiries as necessary;
- they shall ensure any responses to requests for information by a member that were not received at a meeting of council are circulated to all members;
- they shall refrain from becoming involved in the policy and decision-making process of council, outside of ensuring that council is provided with the information necessary in order to make their decisions and that council is aware of any issues that staff are aware of that may impact such decisions;
- they shall diligently and impartially implement council's decisions;
- they shall notify management or the CAO/Deputy clerk, as appropriate, of any issues that may impact the Municipality and of ongoing activities in each department;

- they shall not speak publicly on any matter respecting any council decisions or policies without authorization to do so, and without limiting the generality of the foregoing, shall not publicly criticize any decision or policy of council;
- they shall refrain from publicly criticizing members of council; and
- they shall at all times comply with any policies relating to staff that the council may implement from time to time.

Monitoring/Contraventions

In the interest of strengthening staff and council member relationships both staff and all members of council are encouraged to consider informal discussions and/or mediation prior to the submittal of a formal complaint.

Formal complaints shall be in writing and signed by the complainant. The CAO/Deputy clerk shall be responsible for receiving complaints and/or concerns related to this policy. Upon receipt of a complaint and/or concern, the CAO/Deputy clerk shall notify:

- In the case of officers and employees of the corporation, the manager responsible for the employee; or
- In the case of the CAO/Deputy clerk, the clerk shall engage a third party workplace investigator; or
- In the case of any member of council, the Integrity Commissioner.

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

Review Cycle

This policy shall be reviewed once per term of council or as required due to legislative change.

Legislative and Administrative Authorities

Section 270 of the Municipal Act, 2001, as amended, 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 Member -Staff Relationship 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 Municipality of West Grey.