



Council report

Meeting date:	May 17, 2021
Title:	Council Member – Staff Relationship Policy Review
Prepared by:	G. Scharback, Director of Administration/Clerk
Reviewed by:	L. Johnston, CAO/Deputy clerk

Recommendation

That council receives the report Council Member – Staff Relationship Policy Review for information; and

That council considers adopting the revised policy in the bylaw portion of the agenda.

Executive summary

The Municipal Act, 2001, as amended, provides that a municipality shall adopt and maintain a policy regarding the relationship between council members and staff. It is best practice that this policy be reviewed at least once per term of council. The reviewed and revised policy is included for council's consideration in the bylaw portion of the agenda.

Background and discussion

The review of the policy regarding the relationship between council members and staff was originally passed in 2018, in response to amendments to the Municipal Act, 2001, making this a mandatory policy for all Ontario municipalities. Best practices for policies continue to evolve based on changing norms, legislation and case law. Most recently Associate Chief Justice Frank N. Marrocco made the following recommendations in his report on the recent Collingwood judicial inquiry:

The Province of Ontario should amend the Municipal Act to require that the Staff / Council Relations Policy in each municipality contain specific provisions. For example, the Staff / Council Relations Policy should include the following:

- a) 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;



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- b) 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;
- c) no council member shall maliciously or falsely injure the professional or the ethical reputation of staff and all council members must treat staff with respect and courtesy;
- d) only council as a whole – and no single council member – has the authority to direct staff to carry out a particular function unless specifically authorized by council.

These recommendations have been included in the revised policy. The policy has also been amended to have clearer and more concise wording for ease of understanding. Specific excerpts from other policies, such as the Code of Conduct, have been removed as they are in addition to this policy rather than part of it, and they too may be amended or already have changed since the adoption of the original policy.

Legal and legislated requirements

Municipal Act, 2001, as amended.

Financial and resource implications

None.

Staffing implications

None.

Consultation

MMAH

CAO

Senior Management Team

Alignment to strategic vision plan

Pillar: Work together

Goal: Clear communication

Strategy: Improve internal communication

Attachments

None.



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Next steps

Upon passage of the revised policy staff will facilitate sessions for all staff and council members for the purpose of reviewing and discussing the policy in conjunction with other relevant policies such as the Harassment and Violence in the Workplace Policy, also currently under review.

Respectfully submitted:

Genevieve Scharback, CMO
Director of Administration/Clerk