



## Staff Report for Committee of the Whole Meeting

**Date of Meeting:** March 20, 2024

**Report Number:** SRCFS.20.010

**Department:** Corporate and Financial Services

**Division:** Office of the Clerk

**Subject:** SRCFS.24.010 - Council-Staff Relations Policy

### **Purpose:**

To recommend the approval of a Council-Staff Relations Policy (Attachment "A") as required by the *Municipal Act, 2001*, S.O. 2001, c.25.

### **Recommendation(s):**

- a) That staff report SRCFS.24.010, titled Council-Staff Relations Policy, be received;
- b) That the Council-Staff Relations Policy, Attachment "A" to staff report SRCFS.24.010, be approved.

### **Contact Person:**

Stephen M.A. Huycke, Director, Legislative Services/City Clerk, extension 2529

### **Report Approval:**

**Submitted by:** Sherry Adams, Commissioner of Corporate and Financial Services

**Approved by:** Darlene Joslin, City Manager

All reports are electronically reviewed and/or approved by the Division Director, Treasurer (as required), City Solicitor (as required), Commissioner, and City Manager. Details of the reports approval are attached.

## Page 2

### Background:

Section 270(1)2.1 of the Municipal Act requires every municipality to adopt and maintain policies with respect to “The relationship between members of council and the officers and employees of the municipality.” The requirement for a Council-Staff relations policy was added to Section 270 of the Act, when Bill 68, the *Modernizing Ontario's Municipal Legislation Act, 2017*, received Royal Assent on May 30, 2017.

The City has been in compliance with the requirement to have a Council-Staff Relations Policy because Section 7.0 of the Council Code of Conduct (“Code”) has rules for Council, Staff and Public Relations. The Code, however, only applies to Members of Council (“Members”).

In order to formalize principles and expectations for Members and Staff relations, it is recommended that Council approve the draft “Council-Staff Relations Policy” (Attachment “A”). The proposed policy respects the role that Members and Staff have in delivering local government to the residents of Richmond Hill. The proposed policy generally reinforces current practice at the City of Richmond Hill in the interactions between Members and Staff with no substantive changes.

### Policy Principles

To establish a framework for understanding how Members and Staff work together, the proposed policy is based on the following principles:

- A commitment to a respectful workplace;
- An acknowledgement that all Members are equal, and Staff act on the direction of Council as a whole;
  - It also acknowledges that the Strong Mayor Powers permit the Mayor to provide direction to staff;
- A commitment to mutual respect and professionalism; and
- A commitment to open and clear communication between Members and staff.

These principles are intended to guide how Members and Staff interact and relate to one another, while providing a better understanding of the expectations of Members and Staff as set out in the remainder of the policy.

### Member of Council Expectations

To achieve and build on the policy principles, Section 2 of the proposed policy sets out the expectations of Members in their interactions with Staff. Under the proposed policy, Members are expected to:

- Seek Staff input prior to making decisions;
- Discuss issues with Senior Staff;

## Page 3

- Not require staff to keep matters confidential from other Staff (except when a Statutory Officer is required to do so).

The proposed Policy also provides guidance on what Members should refrain from doing in their interactions with Staff, including:

- Directing or influencing staff except by Council decisions;
- Attempting to influence staff report recommendations, or requiring staff to provide drafts prior to agenda publication;
- Directing or influencing staff responsible for statutory, enforcement or similar legal matters;
- Attending technical meetings/briefings between Staff and other stakeholders unless specifically invited;
- Contacting staff below the level of manager without notification to Senior Leadership

These expectations work to build a culture of respectful, open and clear communications between Members and Staff while also understanding that there may be a perceived power imbalance, between Members and Staff who are not part of the City's management team.

It should be noted that the proposed policy recommends that Council Support Staff be subject to the same expectations that apply to Members. This will ensure that Council Support Staff, who take work direction from a Member, cannot be placed into potentially awkward situations of assisting a Member in avoiding the policy expectations.

### Staff Expectations

Similar to Section 2 of the draft policy, Section 3 sets out the expectations of Staff in their relations with Members. Staff are expected to:

- Keep Council informed of issues in a timely manner;
- Provide Council with neutral, objective and professional advice;
- Provide Members with responses to inquiries in a reasonable amount of time; and
- Act on the lawful decisions of Council even if they don't agree with them.

The proposed policy also outlines what Staff are expected to refrain from doing in their interactions and relationships with Members, including:

- Knowingly providing incomplete or incorrect information to Members;
- Showing or appearing to show favouritism to individual Members;
- Providing confidential or personal information to a Member when not permitted; and

## Page 4

- Providing briefing material to all Members, not just one Member.

These expectations recognize that Staff have a duty to fulfill Council's directions and are to act professionally in all their interactions with Members. It also respects that Members are individually elected to represent their constituents and can only effectively do so when there is open and clear communication with Staff.

### Compliance

While it is believed that the policy will not significantly change the existing interactions between Members and Staff, the policy includes compliance mechanisms when the policy and its principles and expectations are not followed.

In the event of a dispute, Section 4 of the policy encourages informal resolution wherever possible. Informal resolution includes having open discussions between the parties involved and mutual agreement on a path forward and future compliance. An informal resolution aligns to the principle that Members and Staff are committed to open and clear communication.

As well, the policy recognizes that more formal compliance mechanisms may be required. If it is believed a Member has not followed the policy, a formal complaint could be made to the Integrity Commissioner under the Council Code of Conduct ("Code") as Section 9 of the Code requires Members to comply with all City policies applying to them. If it is believed that a Staff member has not followed the policy, a complaint may be made to one of the following:

- The Mayor, in the case of the City Manager; or
- The City Manager for all other staff.

Formal complaints would be reviewed, addressed and responded to based on the circumstances of the complaint.

### Financial/Staffing/Other Implications:

There are no financial/staffing or other implications from adopting the draft Council-Staff Relations Policy.

### Relationship to Council's Strategic Priorities 2020-2022:

The approval of a Council-Staff Relations Policy helps Council fulfill its Strategic Priority of a Strong Sense of Belonging. The policy codifies the expectations of the interactions and relationships between Council and Staff and aims to keep communication between Council and Staff clear and open and provides both formal and informal mechanisms to resolve issues that may arise.

### Climate Change Considerations:

Climate change considerations are not applicable to this staff report.

## **Page 5**

### **Conclusion:**

To improve the City's compliance with Section 270(1)2.1 of the Act and clarify the expectations of interactions between Members and Staff, staff recommend that the draft Council-Staff Relations Policy attached to this staff report be approved.

### **Attachments:**

The following attached documents may include scanned images of appendixes, maps and photographs. All attachments have been reviewed and made accessible. If you require an alternative format please call the contact person listed in this document.

- Attachment A – draft Council-Staff Relations Policy

## Page 6

### Report Approval Details

Document Title:	SRCFS.24.010 - Council-Staff Relations Policy.docx
Attachments:	- SRCFS.24.010 - Attachment A - Draft Council-Staff Relations Policy.pdf
Final Approval Date:	Mar 7, 2024

This report and all of its attachments were approved and signed as outlined below:

**Sherry Adams - Mar 6, 2024 - 1:48 PM**

**Darlene Joslin - Mar 7, 2024 - 8:39 AM**