

Council-Staff Relations

HUMAN RESOURCES

Applies to: Council
Members and Employees



Policy Number: D-21
Section: Workplace

Effective date: March 1,
2019

Policy Statement

The Town of Collingwood recognizes the importance of Council-Staff relations and encourages communication between staff and Council. The relationship between Council and Staff is a vital component of an effective municipal government and it is important to respect one another's roles so they can service the public in an effective and efficient manner. The Town is committed to a respectful and productive relationship between and amongst Council, Members of Council, and Staff of the Town, in furtherance of their respective roles established by statute, municipal by-laws and policies, corporate administrative direction, and operating conventions.

1. 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. 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.

2. 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.

3. Definitions

Chief Administrative Officer (CAO): the Chief Administrative Officer of the Town

Clerk: the Town Clerk

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

Council: the Council of the Corporation of the Town of Collingwood

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

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 Town

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 Town

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 Town (excludes Council, Board and Committee members)

4. 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. Municipal decisions are made by Council as a whole.
2. The Mayor's role is as Chief Executive Officer of municipality. The Mayor does not have any more power than any other Member of Council to make decisions on behalf of municipality.
3. Members of Council have the following roles:

- (a) Representative – elected by constituents to represent their views when dealing with issues that come before Council while having an understanding of issues that impact the municipality as a whole
- (b) Policy-maker – establish the principles and direction that may determine the municipality’s future actions
- (c) Steward – ensure the municipality’s financial and administrative resources are being used as efficiently as possible, monitors implementation of its approved policies and programs
- (d) 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.
- (e) Members are strongly discouraged from interfering in matters (e.g., inspection, enforcement, etc.) that are under the authority of certain Officers of the municipality (see item #4(c) below).

4. Staff have the following roles:

- (a) Provide information and advice to help inform Council’s policy decisions; implement policies approved by Council
- (b) Management of day-to-day activities and practical aspects of implementation and administration of Council’s approved policies and programs
- (c) 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.).

5. 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).

- (iii) Staff participation/attendance at event/meeting – Requests must be made in writing to and approved by the CAO who will take into consideration the event/meeting logistics, purpose and outcomes, as well as existing procedures and service levels.

- (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. Complaint Mechanisms

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.

3. 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) Council could help Staff in meeting Council's expectations by:

- (i) providing clear policy decisions and directions
 - (ii) developing policies in an open and consistent manner
 - (iii) adopting policies that complement and reinforce Staff efforts to improve administrative operations
 - (iv) consulting with Staff before deciding on policies and programs
- (f) 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
- (g) Staff could 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

4. 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 give consideration to 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.

6. Relevant Standards and Documents

By-Law 2015-082 Code of Conduct for Council, Local Boards and Committee Members
 By-Law 2019-006 Procedural
 Modernizing Ontario’s Legislation Act, 2017 (Bill 68)
 Municipal Act, 2001
 HR Policy D-01 Discrimination & Harassment-Free Workplace
 HR Policy D-04 Code of Ethical Conduct

Revision History		
Date	Policy Number	Title
February 25, 2019	D-21	Council-Staff Relations