

Committee Administration Policy

Policy Number: CORP. 3-02

Topic: Municipal Governance

Applies to: Newmarket Committee Members

Policy Statement and Strategic Plan Linkages

Boards, Committees, Task Forces and other bodies appointed by the Town of Newmarket (“Committees”) provide input and recommendations on a variety of community, policy and strategic issues and undertake statutory duties. It is essential that Committees be governed by fair and equitable policies and consistent procedures.

This policy relates to the key areas of focus: “Well-Equipped and Managed” and “Well-Respected” of the Strategic Plan. Establishment of transparent and equitable procedures ensures that Committees formed by Council are managed in a manner that fosters community involvement and encourages collaboration between the Town and its Committee volunteers.

Purpose

This policy provides guidance to Council, staff, and Committee Members on the establishment, amendments to and dissolution of all Committees of the Town of Newmarket, and the necessary framework to ensure consistent administrative practices.

This policy applies to all Committees, subject to legislative requirements and governing by-laws. The policy does not apply to internal bodies (e.g., staff committees and staff task forces).

Definitions

Advisory Committee – is a Committee established to provide advice to Council and staff as mandated in its Terms of Reference;

CAO – is the Chief Administrative Officer of the Town or his/her designate;

Chair – is the presiding officer and spokesperson of a Committee;

Clerk – is the Clerk of the Town or his/her designate;

Committee – is a body constituted and appointed by Council to fulfil a mandate;

Member – is a Member of a Committee;

Statutory Committee – is a Committee which undertakes responsibilities established by by-law and/or pursuant to legislation;

Sunset Clause – is a clause in the Terms of Reference which sets out when the Committee’s mandate is anticipated to be completed;

Task Force – is a Committee established to review a specific matter within a defined period of time as mandated in its Terms of Reference;

Terms of Reference – is a document outlining a Committee’s mandate, composition and administrative details, as approved by Council;

Town – is the Corporation of the Town of Newmarket;

Vice Chair – is the presiding officer of a Committee in the absence of the Chair.

Provisions

1. Establishment of Committees

- a. Where a Committee is required to be established as a result of a resolution of Council or a requirement of law, or where a Committee is recommended to be established by staff, a staff report will be prepared prior to recruitment of Members, outlining where applicable:
 - i. Proposed Terms of Reference, including the Committee’s mandate (see template in Appendix A);
 - ii. The nature of the Committee being an Advisory Committee, Statutory Committee or Task Force, or a combination thereof;
 - iii. Alignment with the Corporate Strategic plan, Council’s Strategic priorities and administrative goals/objectives;
 - iv. Public, financial and human resource considerations;
 - v. Proposed work plan, reporting mechanisms, Sunset Clause and means of evaluating the Committee’s work;
 - vi. Alternative and/or additional means of community engagement, where applicable.

2. Amendments to the Terms of Reference

Where an amendment to the Terms of Reference is recommended by Council, the Committee or staff, a staff report will be prepared which addresses the proposed changes and any implications and further considerations.

3. Completion of Committee Mandate

- a. A Committee's mandate is deemed to be complete where:
 - i. The objectives identified in the Committee's Terms of Reference has been met;
 - ii. Issues requiring the specific expertise of the Committee has been resolved; and
 - iii. The legislated requirement to constitute a Committee no longer exists; and
 - iv. Other circumstances deemed appropriate by Council.
- b. Where the Committee has completed its mandate, a staff report will be prepared which provides an evaluation of the Committee's work. Where a Committee is no longer required, a recommendation to dissolve the Committee will be included in the staff report.
- c. Should Council formally dissolve a Committee, letters of appreciation will be sent by the Office of the Mayor (on behalf of the Town) to Members. The Town may also acknowledge the contributions of Members through a program of recognition.

4. Appointment of Members

Recruitment and appointment practices for all Committees of the Town are outlined in the Committee Public Appointment Policy CORP.3-01.

5. Confidentiality

Members appointed to any Committee must sign a Confidentiality Agreement (see Appendix B).

6. Commencement of Committees

- a. An orientation session will be provided to all newly appointed Committee Members at the earliest available opportunity following their appointment to the Committee. Members may also be required to take specialized training, depending on the Committee's mandate and operational needs.

- b. Members are required to complete any training required by law, such as training required under the *Accessibility for Ontarians with Disabilities Act* and *Occupational Health and Safety Act*.
- c. Members may be required to review information and/or execute any required forms related to conduct, insurance, health and safety and other on-boarding matters at the discretion of the Town.
- d. Members will select a Chair and Vice Chair, subject to their Terms of Reference.
 - i. To select a Chair, the Clerk or other assigned staff person will call on Members three (3) times to move a motion to nominate a Member as Chair, which must be duly seconded. The Committee will vote on the motions in the order in which they are made until a majority vote affirms the selection of the Chair.
 - ii. In the event that there is a tie, the Clerk or other assigned staff person will select the Chair by lot.
- e. The process outlined in 6.d.i and 6.d.ii. shall apply for the selection of the Vice Chair.

7. Meeting Schedule

- a. The number of meetings scheduled shall be sufficient to address the mandate of the committee and shall be determined at the first meeting of each year.
- b. Established meeting dates and times shall not be amended unless circumstances warrant special consideration.
- c. During a Municipal election year, meetings shall be cancelled where possible in the last quarter.

8. Rules of Procedure

Rules of Procedure for Committees are contained in the Town of Newmarket's Procedure By-law ~~2013-46~~2015-50, as amended from time to time, where applicable.

9. Appointment of Sub-Committees

- a. A Committee may appoint a sub-committee from among its Members to investigate and report on any matters related to the Committee's mandate, provided that the activities of the sub-committee are shared with the Committee and recorded in the Committee's minutes.
- b. Sub-committees do not have the authority to appoint other formal sub-committees.

10. Reporting to Council

- a. As provided for in the Committee's Terms of Reference, a report or presentation will be submitted to Council outlining the Committee's accomplishments and activities annually.
- b. A Committee will make recommendations and provide input to Council through its minutes. The Chair of a Committee may also address Council related to any matter of Committee business by making a presentation or deputation.
- c. Council's disposition of Committee recommendations and input will be provided to Committees by the Clerk or other assigned staff person.

11. Staff Support

- a. Staff support is recommended by the CAO for approval to Council. Council approved staff support is outlined in the Committee's Terms of Reference.
- b. Generally, staff who support Committees assume two functions: secretarial support and professional/advisory support.
- c. Where occasional variations in Committee staff support are requested, Members shall respect the responsibility staff have to manage their regular work load and the expectations of their immediate supervisor.
- d. Any ongoing variations to the Council approved level of staff support to Committees will be requested through a recommendation of the Committee to Council.

12. Budget

- a. Committee budgets must be directly related to the objectives identified in the Committee's Terms of Reference and may be identified on their own or as part of a departmental budget.
- b. Budget requests must be made by motion of the Committee and will be placed in a Council agenda. Any annual budget allocation to a Committee will be at the sole discretion of Council and subject to Council's annual budget deliberations, taking into consideration the requests of the Committee, which will include expenses related to attendance at conferences and special events.
- c. Any expenses submitted without Council's prior authorization will not be approved.
- d. Administration of Committee budgets will be the responsibility of an assigned staff person.

13. Special Events and Fund Raising

Committees must seek the approval of Council prior to undertaking any special events or fundraising.

14. Attendance

If a Member is absent for three (3) consecutive meetings in any one (1) calendar year without advising the Chair, the Committee may pass a recommendation requesting that Council declare the position vacant and request a replacement member.

~~15. Committee Conduct~~

~~a. In addition to their responsibilities as Members set out in the Town's Procedure By-law 2013-46, as amended from time to time, Members are expected to:~~

- ~~i. Act in the best interest of the Town;~~
- ~~ii. Adhere to the provisions outlined in Town policies, the Ontario Human Rights Code and any other applicable related statutes;~~
- ~~iii. Treat every person including other Members, and the public with dignity, understanding and respect for the right to equality and a safe environment free from harassment and discrimination;~~
- ~~iv. Seek to advance the common good of the community which they serve;~~
- ~~v. Truthfully, faithfully and impartially exercise their duties to the best of their knowledge and ability; and~~
- ~~vi. Abide by the guiding principles set out in the Canadian Code for Volunteer Involvement.~~

~~16.15. Remuneration~~

Members will serve without remuneration unless otherwise provided for in the Terms of Reference.

~~17.16. Accessibility~~

All Committees meetings are required to adhere to the requirements of the *Accessibility for Ontarians with Disabilities Act*.

18.17. Communications

- a. The CAO's Office is responsible for the Town's media relations. Committees shall notify Communications staff whenever media inquiries are received in order to enable a coordinated response and accurate tracking and reporting of the Town's communications effectiveness. It is imperative that all Committees respond as soon as possible when Communications staff makes a request for information or a spokesperson for the media. Every effort shall be made to meet media deadlines and to ensure the accuracy of all information provided.
- b. Unless otherwise provided for, the Town's primary spokespersons are the Mayor and CAO.
- c. Use of the Corporate Logo, Crest and Images are contained in the Use of Corporate Logo, Crest and Images Policy (COMM.2-01).
- d. Use of the Town logo is restricted to corporate activities, including but not limited to official Town letterhead, business documents, flags, awards, apparel and uniforms, Town-owned property, vehicles and buildings. Use of the corporate logo, crest and images by any Committee must be approved by the Communications Department in order to ensure that corporate identity standards are maintained and upheld.
- e. Unless mandated by Council, Committees will not speak on behalf of the Town or Council or make representations on behalf of the Town without Council approval.
- f. Members will be conscious of identifying themselves in their capacities as Members and as private citizens especially when communicating with Town staff, Council and media.

Cross-References

Canadian Code for Volunteer Involvement

Committee Public Appointment Policy CORP.3-01

Procedure By-law ~~2013-46~~2015-50

Use of Corporate Logo, Crest and Images Policy COMM.2-01

[Code of Conduct for Members of Council, Local Boards and Adjudicative Boards](#)

Contact

Lisa Lyons, Director of Legislative Services/Town Clerk

905-953-5300 ext. 2211

llyons@newmarket.ca

Details

Approved by: Council

Adoption Date: April 20, 2015

Policy Effective Date: April 20, 2015

Last Revision Date: May 6, 2019

Revision No: 001



Town of Newmarket **TERMS OF REFERENCE**

NAME: (Name) Committee
REPORTS TO: Council
STATUS: Advisory – Statutory – Task Force
ESTABLISHED: Date

ENABLING LEGISLATION/AUTHORIZING BY-LAW

The (Name) Committee

The (Name) Committee is required to adhere to the provisions outlined in the Town's Procedural By-Law 2013-46, as amended from time to time, Committee Public Appointment Policy, and Committee Administration Policy.

MANDATE

The (Name) Committee will provide

The Committee will be responsible for the following:

-

Deliverables

The Committee will accomplish its mandate by:

-

Strategic Plan Linkages

This mandate meets the following strategic goals:

- 1.

COMMITTEE COMPOSITION AND STAFF RESOURCES

The (Name) Committee will be composed of x members and x Members of Council and shall be supported by x staff resources.

Qualifications

Consideration shall be given to inclusion of the following qualifications during the appointment process:

-

FREQUENCY OF MEETINGS

Committee shall meet <meeting term – weekly, monthly, etc.>



Town of Newmarket

TERMS OF REFERENCE

BUDGET CONSIDERATION

The fiscal year of the Committee shall be from January 1 to December 31. The Committee will work with the assigned staff resource to submit a budget request that reflects their upcoming year's operating and capital needs, in keeping with corporate budget directions and timelines.

WORK PLAN

An annual Work Plan update with any associated budget implications shall be provided to Council. Committees may prepare a communication plan to support their Work Plan. The Committee must provide advance notice of any communication needs to Corporate Communications through their staff resource. Graphics, editing, printing and advertising are provided through Corporate Communications and funded by the Committee's annual budget allocation.

A report or presentation summarizing the Committee's accomplishments shall be provided to Council in the first quarter annually.

REMUNERATION

TERM OF OFFICE

A Member's term on the Committee shall be concurrent with the Term of Council, unless otherwise indicated in the Committee's Mandate, or until a successor is appointed.

COMMITTEE REVIEW/SUNSET DATE

Every four years to coincide with the Term of Council or when a change to legislation impacts the obligations and responsibilities of the Committee.



Town of Newmarket

COMMITTEE CONFIDENTIALITY AGREEMENT

I, _____, acknowledge that I may be provided with information that is confidential in nature for the purposes of executing my duties as a member of the _____ Committee.

I undertake not to disclose or release, by any means, to any third party and treat in strict confidence all confidential material and information.

I also undertake not to use the confidential material and information for personal or private gain or for the gain of friends, relatives of any person or corporation.

Further, after completion of my use of the confidential material and information, I shall return same to the Town of Newmarket and undertake not to disclose to any third party and to treat in strict confidence all confidential materials and information, except where disclosure is made with the prior written consent of the Town.

I have read and understand the above agreement and will abide by the terms as stated above.

Signature of Committee Member

Declared before me at the Town of Newmarket this ____ day of _____, 2015.

Signature of Staff Member

Committee Public Appointment Policy

Policy Number: CORP.3-01

Topic: Municipal Governance

Applies to: Newmarket Committee Members

Policy Statement and Strategic Plan Linkages

Boards, Committees, Task Forces and other bodies appointed by the Town of Newmarket (hereafter referred to as Committees) assist municipal government service delivery and provide community members a way to engage in civil service providing advice, expertise and oversight to municipal decision making. Committees and volunteers must be governed by fair and equitable policies, and consistent procedures.

This Policy relates to the key areas of focus: “Well-Equipped and Managed” and “Well-Respected” of the Strategic Plan. Establishing transparent and equitable procedures will ensure that committees established by Council are managed in a way that will encourage community involvement and inspire cooperation.

Purpose

This Policy provides guidance to Council, staff and applicants on the principles and procedures governing the recruitment and appointment practices for all Committees of the Town of Newmarket, to make sure that a fair and equitable application and selection process is in place.

Boards and committees which are subject to separate legislative requirements, governing by-laws and/or any other legal requirements regarding committee appointments, and internal staff committees and task forces are not bound by this policy.

Definitions

Chair - means the Presiding Officer of a Committee;

Clerk - means the Clerk of the Town or his/her designate;

Committee - means a Committee, Board or Task Force or other body constituted and appointed by Council;

Member - means a Member of a Committee;

Term of Council - means the period of time for which Council is elected to serve, as governed by applicable legislation.

Terms of Reference - means a document outlining the mandate and committee operational details. Terms of Reference must be approved by Council including any amendments.

Provisions

1. Eligibility to serve

To serve on a Committee of Council, an applicant or member must be:

- i. a resident of Newmarket or own property within Newmarket unless Council deems it appropriate in order to acquire specialized knowledge, experience or representation, to maintain continuity or any other reason Council deems appropriate;
- ii. 18 years or older unless otherwise specified in the Terms of Reference for the applicable Committee;
- iii. employed by an organization other than the Town of Newmarket or the Newmarket Public Library.
- iv. a Canadian citizen where required by law or the Committee's Terms of Reference;

2. Term and length of service

Appointed Members shall:

- i. serve for a period of time equal to a full Term of Council unless specified in the Terms of Reference or one of the following scenarios occurs:
 - The appointment is revoked by Council;
 - They no longer meet the eligibility requirements;
 - They voluntarily resign;
 - The Committee is dissolved by Council.
- ii. only be eligible for appointment to a maximum of two Committees at one time. A member may, however, be selected to represent their Committee on another Committee or board as a non-voting liaison.
- iii. serve a maximum of two consecutive terms on any one Committee.
- iv. fill a vacancy for a partially completed term and be appointed to the end of that term. If appointed for an interim term of less than one year the member is still eligible for re-appointment for two consecutive terms on the same Committee.

3. Recruitment

- i. Recruitment commences with each new Term of Council, where vacancies are required to be filled, and if applicable, following any changes to Terms of Reference, or after the establishment of any new Committee.

- ii. Council may fill vacant Committee positions identified in the Terms of Reference requiring specialized knowledge, experience or representation by invitation, by seeking the assistance of a recruitment agency or through outreach to specific organizations or other means deemed appropriate by Council or staff. Activities with respect to filling these positions will follow the regular application process outlined in this policy.

4. Vacancies

- i. Vacancies created when a Member resigns or vacates the position are effective the date:
 - a. the resignation letter is received by the Clerk;
 - b. specified by the Member in the resignation letter;
 - c. the Member is removed by Council resolution;
 - d. the Member no longer qualifies for the position;
 - e. of the death or incapacitation of the Member;

~~ii. Committees may pass a resolution requesting that a Member's position be declared vacant when a member has been absent without good reason for three consecutive meetings or half of the scheduled meetings in any calendar year.~~

5. Appointment Committee

An Appointment Committee shall be:

- i. established at the beginning of each new term of Council, composed of three members of Council, governed by the Terms of Reference.

Cross-References

Procedure By-law ~~2013-xx~~ 2015-50 (as amended)
Canadian Code for Volunteer Involvement

Contact

Lisa Lyons, Director of Legislative Services/Town Clerk

905-953-5300 ext. 2211

llyons@newmarket.ca

Details

Approved by: Council

Adoption Date: May 27, 2013

Policy Effective Date: January 2015

Last Revision Date: May 6, 2019
Revision No: 001

Appendix 'A' - Procedures
to
Town of Newmarket
Committee Public Appointment Policy CORP.3.01

1. Recruitment – New Term of Council

- i. Legislative Services Staff who prepare advertisements for recruitment will ensure the ads contain the following information:
 - a. Member eligibility;
 - b. Committee meeting frequency and time;
 - c. Information on how to obtain an application form, and the terms of reference;
 - d. Details with respect to submitting an application including, the application deadline and where and how to submit the application;
 - e. A Notice of Collection as outlined in the Protection of Personal Information Policy and the *Municipal Freedom of Information and Protection of Privacy Act*;
 - f. A note that the vacancy is a volunteer position.
- ii. Advertisements will be placed in appropriate locations determined by the Clerk in conjunction with the Director, Communications.
- iii. Positions requiring specialized recruitment shall be advertised appropriately in accordance with section 3(ii) of the Policy.
- iv. Provided the applicant's consent is provided, the Clerk will maintain a list of applicants (referred to as the "Roster") for future consideration.
- v. The Clerk together with applicable staff will review all applications and prepare a recommended short list of candidates to interview and/or select based on required skillset, representation or other desirable criteria.
- vi. The staff recommended short-list of candidates, together with all eligible applications will be presented to the Appointment Committee for review, interviews and/or selection.

2. Recruitment – Mid-term Vacancies

- i. Vacancies will be identified by the Town Clerk as per section 4 of the Policy.
- ii. All available positions will be advertised as in the same manner as per the recruitment process for a new term of Council.
- iii. The Clerk together with applicable staff will review all applications and prepare a recommended short list of candidates to interview and/or select based on the required skillset, representation or other desirable criteria.
- iv. The staff recommended short-list of candidates, together with all eligible applications will be presented to the Appointment Committee for review, interviews and/or selection.

Appendix 'A' - Procedures
to
Town of Newmarket
Committee Public Appointment Policy CORP.3.01

3. Application Procedures

- i. All applicants will submit to the Clerk a completed application, together with a resume or other supporting information as required.
- ii. Completed applications must be submitted before the deadline prescribed by the Clerk in order to be considered for appointment.
- iii. In accordance with section 2(ii) of this policy, applicants applying to more than one vacancy will be requested to prioritize their preference.
- iv. Members eligible for re-appointment must complete an application form and submit it to the Clerk.

4. Appointment Procedures

- i. The Appointment Committee operates according to their Terms of Reference and reviews and evaluates the received applications and recommends one applicant per vacancy.
- ii. The Clerk will place information regarding applicants recommended by the Appointment Committee on a Confidential Agenda for consideration by Council in camera, in accordance with Section 239 (b) of the *Municipal Act, 2001 S.O. 2001, c.25*.
- iii. Once Council makes its appointments, the Clerk will send a letter to all successful and unsuccessful applicants.
- iv. The Clerk will notify the applicable staff of the appointment and provide them with information on how to contact the new Member.
- v. The Clerk will maintain a roster of other qualified applicants to fill future vacancies for the current Term of Council. All listed applicants shall be advised of their status.

5. Resignation Procedures

- i. A Member who is resigning from their appointed position will submit a written letter of resignation to the Clerk.
- ii. Resignation of Members shall be effective at the date of receipt of the letter, or on a date specified in the letter. Council will be informed of the resignation in whatever manner the Clerk deems appropriate.
- iii. Members who do not submit their resignation but who are no longer eligible to serve will be deemed to have resigned at the date they become ineligible.