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Newmarket

September 3, 2015

JOINT OFFICE OF THE CAO - STRATEGIC INITIATIVES
& CORPORATE SERVICES COMMISSION - LEGISLATIVE SERVICES REPORT 2015-10

TO: Mayor Van Bynen & Members of Council

SUBJECT: Corporate Policy Approval Authority Framework

ORIGIN: Strategic Initiatives & Legislative Services

RECOMMENDATIONS

THAT Office of the CAO-Strategic Initiatives and Corporate Services Commission-Legislative Services Report 2015-10 dated September 3, 2015 regarding "Corporate Policy Approval Framework" be received and the following recommendations be adopted:

1) **THAT Council adopt corporate policy CAO.1-06 "Corporate Policy Approval Authority Framework," attached as Appendix 'A';**

2) **AND THAT the delegation by-law be updated to reflect these items of delegated authority.**

COMMENTS

Legislative Services Report 2013-06 (see Appendix 'C,' attached) was received by Council on March 26, 2013 and included suggestions on improving the efficiency of governance processes and the conduct of public meetings. The report recommended that corporate policies of an administrative nature within the purview of the CAO as well as procedures implementing corporate policies be approved and updated as required by the CAO. Currently, all corporate policies regardless of their nature are approved by Council. In an effort to improve efficiency, it is recommended that a framework be established to delineate between Council and CAO approved corporate policies consistent with the existing Council-CAO governance model (see Draft Corporate Policy CAO.1-06 "Corporate Policy Approval Authority Framework," attached as Appendix 'A'). A Council-CAO delineated corporate policy approval framework exists in many other municipalities within the GTA and abroad, including York Region.

The following are examples of Council and CAO approved policies.

Council-approved policies:
- Policies affecting the Town's governance and Members of Council, including;
- Policy matters directed by Council or requiring Council's approval;
- Policies substantively impacting customer service levels;
- "Outward" facing policies affecting residents and businesses; and,

- Policies related to financial sustainability.

CAO-approved policies (provided the impact of the corporate policy is within the relevant Council-approved budget):

- Administrative matters (e.g., promotional/reference checking)
- Employment and working conditions
- Implementing procedures, routine updates to corporate policy appendices

Appendix B outlines how existing corporate policies are delineated between policies approved by Council and those approved by the CAO. Historically, the majority of the corporate policies identified as CAO-approved have been approved by Council by consent.

Draft Corporate Policy CAO.1-06 further provides:

- Authority for the CAO to request Council approval of CAO-approved corporate policies, should he or she feel there is a need to do so;
- A process to notify Council of new CAO-approved corporate policies and substantive amendments to CAO-approved corporate policies; and,
- A requirement to post all corporate policies (and any procedures referenced in a corporate policy), regardless if it is approved by Council or the CAO on the Town's website.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

In being Well-Equipped and Managed, the Town implements "policy and processes that reflect sound and accountable governance".

CONSULTATION

The Strategic Leadership Team (SLT) and Operational Leadership Team (OLT) were consulted in the course of preparing this report.

HUMAN RESOURCE CONSIDERATIONS

There are no human resource considerations applicable to this report.

BUDGET IMPACT

There are no budget impacts associated with this report.

CONTACT

For more information on this report contact either Andrew Brouwer at (905) 953-5300 Ext. 2211 or abrouwer@newmarket.ca.

Andrew Brouwer, Director, Legislative Services

Cindy Wackett, Corporate Project Consultant, Strategic Initiatives

Anita Moore, Commissioner, Corporate Services

Bob Shelton, CAO

Newmarket

CORPORATE POLICY

Sub Topic: Corporate Policy Approval Authority Framework	Policy No.: CAO.1-06
Topic: Governance	Employees Covered: All Employees and Elected Officials
Section: CAO	Approval Authority: Council
	Adoption Date:
Effective Date:	Revision No: Date:

Policy Statement & Strategic Plan Linkages

Council and Administration of the Town of Newmarket will support the Community Vision of being a community well beyond the ordinary by implementing policies, programs and procedures that reflect the efficient management of municipal services, and sound and accountable governance, aligning with the Strategic Plan direction of Well-Equipped and Managed.

Purpose

This Policy provides:

1) Authority for Council to approve new and amended corporate policies of a governance nature in line with the role of Council established by the *Municipal Act, 2001* and relevant Town by-laws, including but not limited to:
    a. Policies affecting the Town's governance and Members of Council;
    b. Policy matters directed by Council or requiring Council's approval;
    c. Policies substantively impacting customer service levels;
    d. "Outward" facing policies affecting residents and businesses; and,
    e. Policies related to financial sustainability.

2) Authority for the Chief Administrative Office (CAO) to approve new and amended corporate policies of an administrative nature in line with the role of the CAO established by the *Municipal Act, 2001,* Delegation of Authority By-law

and other relevant Town by-laws provided the impact of the corporate policy is within the relevant Council-approved budget, including but not limited to:

a. Administrative matters; and,
b. Employment and working conditions.

3) Authority for the CAO to approve new and amended procedures and appendices which implement CAO and Council-approved policies.

4) Despite the authority granted to the CAO in 2) and 3), the CAO may request Council input and/or approval.

5) A process for advising Council of CAO approved corporate policies. (see Appendix A);

6) That CAO and Council approved corporate policies and procedures/appendices references in a corporate policy be posted on the Town of Newmarket's website.

Cross-References

Corporate Policy Index

Appendices (which may be amended from time to time)

Appendix 'A' – Process for Advising Council of CAO Approved Corporate Policies

DRAFT

Appendix 'A' – Process for Advising Council of CAO Approved Corporate Policies

A: New CAO-approved policies:

1. Prior to the intended effective date, the CAO or designate shall circulate an email or memorandum together with the new corporate policy to all Members of Council advising of, at a minimum:
    a. The purpose and impacts of the corporate policy;
    b. Intended effective date;
    c. How the impacts of the corporate policy will be reported on corporately; and,
    d. Appropriate staff contact for a Member of Council to seek further information.

B: Amendments to CAO-approved policies of a substantive nature:

1. Prior to the intended effective date, the CAO or designate shall circulate an email or memorandum together with the amendment to the CAO-approved corporate policy of a substantive nature to all Members of Council advising of, at a minimum:
    a. The purpose and impacts of the corporate policy amendment;
    b. Intended effective date;
    c. How the impacts of the corporate policy amendment will be reported on corporately; and,
    d. Appropriate staff contact for a Member of Council to seek further information.

DRAFT

Corporate Policies Recommended to be Approved by Council	Purpose
Harassment & Discrimination Free Workplace HR.13-04	To provide a description workplace harassment and discrimination; the duties and responsibilities of the employer and employees; and addresses how incidents or complaints of workplace harassment or discrimination will be dealt with.
Accessibility Standards for Customer Service CORP.2-01	To ensure support for and compliance with the Accessibility for Ontarians with Disabilities Act, 2005 (AODA) and relevant regulations, by providing customer service to people with various kinds of disabilities.
Accountability and Transparency CORP.1-03	To ensure that the Municipality is accountable to the public for its actions, and the manner in which its actions are transparent to the public.
Committee Administration Policy CORP. 3-02	To provide guidance to Council, staff, and Committee members on the establishment, amendments to and dissolution of all Committee of the Town, and the necessary framework to ensure consistent administrative practices.
Committee Public Appointment Policy CORP. 3-01	To provide guidance on the governing the recruitment and appointment practices for all Committees, to make sure that a fair and equitable application and selection process in place.
Corporate Financing Lease Policy FIN.1-01	Allowing for the provision of Municipal Capital Facilities if the lease may or will require payment by the municipality beyond the term for which Council was elected.
Council Code of Conduct CO-1.01	To identify the Town of Newmarket's expectations of Members of Council and establish guidelines for appropriate conduct.
Council Compensation CO-1.03	To provide a process for fair evaluation of Council's rate of compensation each term of Council.
Council-Staff Request for Info & Use of Res. CAO.1-01	To provide a process for Members' of Council requests for information employee responsibilities to meet Council requests for information.
Debt Policy	To set forth the parameters for issuing debt and managing the debt portfolio and provides guidance to decision makers.

Corporate Policies Recommended to be Approved by Council	Purpose
Deferral of Payment of Development Charges and Planning Application Fees	To encourage development through deferral of payment of development changes and Planning Application fees within the Urban Centres in order to stimulate high-rise mixed-use residential and high-rise office users.
Elected Officials Expense Policy CORP .1-07	To guide expenditures, including payment and reporting, of Elected Officials.
Integrated Accessibility Standards Regulation (IASR) Policy CORP .2-02	To establish the Integrated Accessibility Standards Regulation in the areas of Employment, Information and Communications and Transportation for the Town of Newmarket in accordance with Ontario Regulation 191/11.
Internet & E-Mail Acceptable Use IT.1-01	To ensure that the e-mail and internet systems continue to be a reliable and productive tool for the Corporation.
Investment Policy FIN. 3-01	To set out guiding principles for the management of the Corporation of the Town of Newmarket's surplus funds and investment portfolio.
Long-term Use of Town Facilities by Commercial, Non-Profit & Community Org. PRC.8-01	To guide the Town on making decisions on the long-term use of properties and buildings to ensure the decisions are based upon sound financial principles and the best interests of the community.
Media Relations COMM.5-01	To support staff throughout their dealings with the media to ensure effective, corporately consistent messages.
Members of Council Severance CO-1.02	To set out the parameters for Council severance pay.
Municipal Flag Policy CORP.1-05	To ensure that flags at the Municipal Offices and properties owned by the Town are flown and displayed in an appropriate and consistent manner.
Notice Policy CORP.1-02	To outline the circumstances of notice and the form, manner and times that notice shall be given on matters where there is no statutory notice required pursuant to the Municipal Act, 2001 as amended.

Corporate Policies Recommended to be Approved by Council	Purpose
Operating and Capital Financial Policy FIN. 2-01	To ensure that all programs approved by Council are carried out within the budget allocation.
Professional Development Expenses CAO.1-02	To provide Members of Council and employees with clear procedures regarding attendance, funding, reimbursement, and reporting on reasonable and necessary expenditures incurred while on official municipal business.
Protection of Personal Information Policy CORP. 1.08	To outline the standards and procedures for the collection, use and management of personal information by all Town employees.
Public Services Awards Program CO-3.01	To establish parameters around providing gifts to departing Members of Council.
Records Retention Policy CORP.1-06	To establish principles and procedures for managing both paper and electronic records according to relevant legislation. Appendices/Procedures updated under delegated authority.
Sale of Land Policy LEGAL.1-01	To ensure compliance by the Town with section 270(1) of the Municipal Act, 2001, as amended, which requires municipalities to adopt policies and develop procedures that are accountable and transparent regarding the sale and other disposition of municipally owned land.
Service Pricing Policy CAO.1-03	To outline the high level framework that recommends target cost recovery levels from 0 to 100% for specific types of users and services.
Sidewalk Installation Policy PWES.1-01	To promote pedestrian safety, sidewalk links between sidewalks, and promote safe school pedestrian traffic on streets that feed local school sites.
Use of Corporate Logo Crest and Images Policy COMM.2-01	To guide the proper use and display of the official Town logo, the Town crest, and other Town Images.
Use of Corporate Resources & Election Campaign Activities CORP.1-01	To clarify that all election candidates, including members of Town Council, are required to follow the provisions of the municipal Elections Act 1996 and clarify procedures for all Town employees to maintain the highest standards of ethical conduct throughout the election campaign period.

Corporate Policies Recommended to be Approved by Council	Purpose
Violence Free Workplace HR.13-03	To demonstrate the Town's commitment to the Occupational Health & Safety Act by protecting employees and elected officials from sources of workplace violence.

Corporate Policies Recommended to be Approved by CAO	Purpose
Alternative Work Arrangements HR.2-07	To support alternative work arrangements for eligible employees where it does not adversely impact services provided to customers and staff.
Adjustments to Temporary Salary Rates HR.9-06	To recognize that employees who temporarily assume higher level and/or additional duties as a result of a secondment, appointment or assignment should receive appropriate compensation.
Benefits Policy HR.6-01	To outline the criteria under which employees are eligible for benefit coverage.
Benefits Coverage for Early Retirement HR.6-02	To outline a consistent form of benefit subsidization offered to employees choosing to retire between the ages of 55 and 65.
Bereavement Leave Policy HR.11-06	To provide regular full time and regular part time employees with a paid leave of absence for the purpose of Bereavement Leave.
Definition of Non-Union Employee Status HR.1-01	To provide a definition for Regular Part-Time, Contract Employee, Casual Employee and Sessional/Seasonal Employee.
Drug and Alcohol Policy HR. 5-02	To protect the public and Town employees from risks, which result from employee drug or alcohol, induced behaviour.
Economic Adjustment Policy HR. 9-03	To review the Consumer Price Index (CPI) – Toronto annually to determine the annual economic adjustment and to ensure that an annual assessment on economic/annual adjustments is conducted with the 9 comparator municipalities.
E.R.I.C. CAO.2-01	To describe the non-management group of Town employees who make recommendations to the Executive Management Team on the Town's operations and policies.
e-Mail Service Standards CI.1-02	To set out clearly defined standards that staff should adhere to when dealing with e-mails.
Emergency Leave HR.11-07	To provide regular full time and regular part time employees with an unpaid leave of absence for the purpose of Emergency Leave.
Employee Code of Conduct	To identify the expectations of employees and establishes

Corporate Policies Recommended to be Approved by CAO	Purpose
CAO.3-01	guides for appropriate conduct of employees.
Employee Complaint HR.4-02	To outline the practices and procedures for dealing with employee complaints.
Film Policy CORP. 1-04	To provide a description of the film approval process that assists in ensuring that Town property and the rights, safety and privacy of the citizens of the Town of Newmarket are protected.
Floater Day HR.3-04	To define and set out the procedures for utilizing the Floater Day for employees.
Health and Safety Policy Statement	To make a formal commitment to health safety for all staff.
Honorarium HR.9-09	To define honorarium and its application to Co-op students.
Inclement Weather HR.8-02	To ensure effective communication of Municipal Office and/or other facilities closure to staff and the public due to inclement weather.
Job Evaluation HR.9-08	To assess new positions and revised positions through a process that supports consistent application, internal equity, the development of salary structures (wages) and for determining the placement of approved new or revised positions at the appropriate salary grade.
Jury Duty/Court Appearances HR.11-05	To provide regular full time and regular part time employees with a paid leave of absence for the purpose of Jury Duty and for employees summoned with Subpoena.
Management Compensation Lieu Days HR.3-02	To implement a program that recognizes additional hours worked over the course of the calendar year by eligible management employees.
Mileage Allowance, License & Automobile Insurance HR.8-05	To define standards for compensating employees using their vehicle on Town business and sets out expectations with respect to drivers' licence, qualifications, insurance requirements and internal monitoring controls.
Normal Hours of Work HR.2-06	To define the expectations with respect to Normal Hours of Work for employees.

Corporate Policies Recommended to be Approved by CAO	Purpose
Operating & Capital Financial Policy	To ensure that all programs approved by Council are carried out within the budget allocation.
Overtime HR.2-02	To outline the conditions under which employees will be compensated when required to work in excess of their normal weekly regularly scheduled hours.
Parental Leave HR.11-03	To grant, upon written request, an unpaid parental leave of absence to full-time and part-time employees who have at least 13 weeks continuous service before the date the parental leave is expected to start.
Personal Leave of Absence HR.11-01	To recognize that under certain circumstances an employee may require time away from work to deal with personal and/or family matters.
Position Administration HR.9-07	To establish consistent processes to support the development and maintenance of accurate position descriptions.
Pregnancy Leave HR.11-02	To grant, upon written request, an unpaid pregnancy leave of absence to full-time and part-time employees who have at least 13 weeks continuous service before the estimated date of delivery.
Progressive Discipline HR.4-01	To provide the framework, process and outcome of Progressive Discipline.
Promotions, Transfers, Secondments, & Acting Assignments HR.9-04	To provide standards and procedures for ongoing salary administration, equitable staff development opportunities and salary practices.
Recruitment & Selection HR.12-01	To define the Town's recruitment and selection process, to ensure the policy is in compliance with relevant legislation, that the selection process is consistent throughout the organization in order to attract, select and retain capable and qualified individuals.
Red Circle Rates HR.9-05	To outline standards and procedures when red circling is contemplated to support fair and equitable treatment of employees or as elsewhere provided for in any other Corporate policy.
Resignation/Termination of	To ensure that employee termination processes are in

Corporate Policies Recommended to be Approved by CAO	Purpose
Employment HR.4-03	compliance with employment legislation.
Retirement Notification HR.6-03	To outline the process under which employees give notice to whether they will retire or continue working beyond the age of 65 years.
Return to Work HR.8-06	To provide employee(s) unable to perform his/her regular work duties, regardless of the cause of injury/disability, a Return to Work Program that facilitates early and safe rehabilitation to work, and accommodation of an injured and/or disabled employee.
Salary Administration HR.9-01	To compensate employees in a manner that supports internal equity, marketplace competitiveness and is in compliance with legislative requirements, including the Pay Equity Act.
Salary Progression HR.9-02	To establish consistent processes for salary progression and provide procedures for ongoing salary administration.
Security-Employee ID Badges HR.8-04	To ensure that appropriate security measures are at all Town locations and to support and reinforce employee awareness and knowledge on matters of workplace security.
Service Recognition & Retirement Awards HR.8-03	To present qualifying employees with Service and Retirement Awards in recognition of their years of service with the municipality.
Shift Premium HR.2-04	To establish standards and procedures to compensate employees who are scheduled to work outside the core hours and to ensure consistent application of shift premium procedures.
Sick Leave HR.11-04	To provide eligible regular full time employees with a paid sick leave for personal illness or injury.
Standby & Call-Out Duty HR.2-03	To establish standards and procedures to compensate employees who are assigned to call-out and standby duty.
Telephone Service Standards CI.1-01	To clearly define standards that staff should adhere to when dealing with telephone calls.
Public/Town Paid Holidays	To define Town Paid Holidays and Public Holidays, and to

Corporate Policies Recommended to be Approved by CAO	Purpose
HR.3-03	define payment and/or days off in lieu of the Public or Town Paid Holidays.
Tuition Assistance HR.10-01	To provide financial assistance to those employees who wish to further their education on a part-time basis, through a recognized institution, on their own time.
Vacation HR.3-01	To provide all eligible employees with annual paid vacation.
Wearing Apparel & Dress Code HR.7-01	To encourage employee pride and professionalism through guidelines for appropriate attire for the work environment.
Wellness HR.8-07	To support health-related programs that will assist employees in maintaining their physical, mental, and emotional well-being which contributes to a lower absenteeism rate, higher productivity and a reduction in benefit costs.
Workplace Safety Insurance Act related Absences Policy HR.11-08	To support the Workplace Safety and Insurance Act absences.

February 18, 2013

CORPORATE SERVICES REPORT - LEGISLATIVE SERVICES REPORT 2013-06

TO: Committee of the Whole

SUBJECT: Meeting Efficiency Recommendations

ORIGIN: Director, Legislative Services/Town Clerk

RECOMMENDATIONS

THAT Corporate Services Report – Legislative Services 2013-06 dated February 18, 2013 regarding Meeting Efficiency Recommendations be received and the following recommendation be adopted:

THAT Council provide feedback on the proposed meeting efficiency recommendations for Council and Committee of the Whole meetings outlined in Appendix "A" of this report.

COMMENTS

Purpose

The purpose of this report is to seek Council's feedback on recommendations intended to enhance the efficiency of Council and Committee of the Whole meetings outlined in Appendix "A" of this report.

Background

A number of public meeting process initiatives are under way, including:

- Review of Council's Procedure By-law;
- Introduction of a meeting management suite to support web streaming, vote record system and electronic agendas; and,
- New open and closed meeting protocols.

In addition, concerns have been raised by Members of Council with respect to the numerous agenda items, number and length of meetings in recent months.

In line with these initiatives and feedback from Council, the Operational Leadership Team (OLT) and Senior Leadership Team (SLT) identified recommendations intended to further enhance the efficiency of Council and Committee of the Whole meetings.

The recommendations were developed following a review of meeting practices in other GTA municipalities and a workshop held with OLT and SLT members. Recommendations were considered by staff to have the greater potential impact on meeting efficiency. As outlined in Appendix A, the recommendations relate to: (1) exploring expanded delegation of Council authority to staff; (2) creating a framework to delineate between Council and CAO-approved corporate policies and approval of corporate policy appendices/procedures by CAO; and (3) identifying a process to ensure that target dates for the

presentation of staff reports to Council are met, to the extent possible (particularly significant reports supporting strategic directions and key corporate projects).

Next Steps
Following initial feedback from Council, staff will bring forward reports to address each recommendation in greater detail.

BUSINESS PLAN AND STRATEGIC PLAN LINKAGES

Meeting efficiency opportunities support the Town's strategic directions of a well-equipped, managed and respected municipality by ensuring service excellence and promoting engagement in civic affairs.

CONSULTATION

This report was prepared with input from OLT and SLT as well as from input from various GTA municipal clerks and other senior staff.

HUMAN RESOURCE CONSIDERATIONS

There are no human resource considerations.

BUDGET IMPACT

There are no budget impacts.

CONTACT

For more information on this report, contact:

(original signed)

Andrew Brouwer, Director of Legislative Services/Town Clerk

(original signed)

Anita Moore, Commissioner of Corporate Services

Appendix A – Meeting Efficiency Recommendations

Recommendation	Explanation	Key Questions & Considerations	Next Steps
1. Explore expanding the delegation of Council authority to staff.	Delegated authority to staff allows for Council to better focus on more substantive matters & support meeting efficiency. Information reports help to keep Council informed of decisions made through delegated authority. Some delegated matters may suit a "bump up" of matters to Council, others may not require this. Current delegated authority by-law has not been comprehensively reviewed since 2010. Council is encouraged to view delegated authority within a broader context of operational & community interests & opportunities for efficiency, among other factors. A comprehensive report will assist to provide Council with this framework.	- Are there areas of delegated authority which could be further explored? - What are the issues/concerns related to delegated authority? - Which mechanisms can be used to ensure Council & public are informed of matters dealt with through delegated authority?	- Departments to identify areas of potential expanded delegated authority - Legislative Services to research & share examples of delegated authority from other municipalities with OLT/SLT - Legislative Services to research examples of routine matters delegated to a committee of the whole/standing committee in other municipalities - Future staff report to come forward

Recommendation	Explanation	Key Questions & Considerations	Next Steps
2. Create a framework to delineate between Council & CAO-approved corporate policies, & approval of corporate policy appendices/procedures by CAO.	Currently, all corporate policies are considered by Council, regardless if a corporate policy is normally within the jurisdiction of the CAO. Many municipalities delineate between Council & CAO approved policies (as well as implementing procedures & routine updates to appendices) through Council approved criteria. Delineation may be, for example: *Council:* - Governance - High-level (executive) organizational change - Outward facing policy, community - Policies affecting Council - Council policy statements *CAO:* - Administration/staff - Working conditions - Administrative (e.g., promotional/reference checking, etc.) - Implementing procedures, routine updates to corporate policy appendices Council may be circulated CAO approved corporate policies to help	- What types of corporate policies should & should not require Council approval? - Could a process be created whereby Council could "bump up" CAO-approved policies to Council? - How can the public be made aware of or have access to CAO-approved policies?	- Further review with Strategic Initiatives, CAO/SLT, Corporate Policy Committee - Future staff report to come forward

Appendix A – Meeting Efficiency Recommendations

Recommendation	Explanation	Key Questions & Considerations	Next Steps
	keep Council informed. CAO approved corporate policies may also be posted on the Town's website. CAO may choose to "bump up" some CAO-approved corporate policies to Council.		
3. Identify measures to ensure that target dates for the presentation of staff reports to Council are met, to the extent possible (particularly significant reports supporting strategic directions & key corporate projects).	Staff wish to review opportunities to improve the timing of reports to Council, particularly those which are linked to strategic directions or are considered key municipal projects.	- What are the challenges & opportunities with the current agenda management process? - How can challenges be overcome? - How can strategic & key projects be managed on the agenda to ensure sufficient discussion relative to other agenda items? - Could special meetings be used to ensure strategic & key projects meet target meeting dates?	- Further review with Strategic Initiatives, CAO/SLT - Future staff report to come forward