

 <b>COBOURG</b>	<b>THE CORPORATION OF THE TOWN OF COBOURG</b>	
	<b>STAFF REPORT</b> <b>COMMITTEE OF THE WHOLE</b>	
TO:	Mayor and Council Members	
FROM:	Brent Larmer	
TITLE:	Municipal Clerk/Manager of Legislative Services	
DATE OF MEETING:	November 16, 2020	
TITLE / SUBJECT:	Municipal Corporate Policy Review Protocol	
REPORT DATE:	October 27, 2020	File #:

1.0 STRATEGIC PLAN

Not Applicable.

2.0 PUBLIC ENGAGEMENT

Not Applicable

3.0 RECOMMENDATION

THAT Municipal Council approve the Corporate Policy Review Protocol process as outlined in the Staff Report; and

FURTHER THAT Council authorize the preparation of a By-law to be presented to Council for adoption at a Regular Council Meeting to amend the By-law No.008-2019, being the Town of Cobourg Terms of Reference By-law, in order to put into place the Town of Cobourg Municipal Corporate Policy Review Protocol and Team.

4.0 ORIGIN AND LEGISLATION

Section 224 of the Municipal Act, 2001 states that it is the role of Council,

b) to develop and evaluate the policies and programs of the municipality;

d) To ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to

implement the decisions of council to ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality.

Section 270(1) of the Municipal Act, 2001 further states that a municipality shall adopt and maintain policies with respect to the following matters:

1. Its sale and other disposition of land.
2. Its hiring of employees.
- 2.1 The relationship between members of council and the officers and employees of the municipality.
3. Its procurement of goods and services.
4. The circumstances in which the municipality shall provide notice to the public and, if notice is to be provided, the form, manner and times notice shall be given.
5. The manner in which the municipality will try to ensure that it is accountable to the public for its actions, and the manner in which the municipality will try to ensure that its actions are transparent to the public.
6. The delegation of its powers and duties.
7. The manner in which the municipality will protect and enhance the tree canopy and natural vegetation in the municipality.
8. Pregnancy leaves and parental leaves of members of council.

This report and recommended protocol attached to the report has been developed to support these legislative requirements.

## 5.0 BACKGROUND

The Town of Cobourg has over the years approved numerous Council-approved policies, some of which have not been updated in many years. Best practice indicates that policies should be reviewed every 3-5 years to ensure they are up-to-date, still relevant, and are adhering to any statutory changes that may have occurred since the policy was approved by Council.

Most corporate policies have been formulated or are “owned” by departments/divisions to meet specific business needs both being Council approved polices and administrative polices. Along with these policies, there are also Human Resources (HR) policies which are the subject to review, having not been comprehensively evaluated last since 2013.

The purpose of this report is to outline a streamlined process and work plan for corporate policy review, and to establish an on-going process moving forward to continually review and approve Corporate Policy on an on-going basis.

## 6.0 ANALYSIS

Policies are the foundation upon which decisions are made. They ensure consistent direction and application of the rules so it is important they are up-to-

date and relevant in order to aid in good decision-making for both staff and members of council. To this end, it is valuable to ensure policies are clear, concise, unencumbered by procedure and regularly reviewed. The recommendations in this report seeks to achieve all of these components and to ensure the role of council is upheld with respect to policy-making.

The current process that is in place within the Town of Cobourg is that policies are updated or presented by Municipal Staff to Council in a reactive process and only when required to be amended or created. This is due to the heavy workload and daily responsibilities of Municipal Staff, and having no established and consistent process in place to manage the continuous review and update of corporate policies.

The following is a brief overview of the types of policies that are in place within the Town of Cobourg:

1. Council Policies: are policies that set overall direction for administrative staff, set standards of performance, define a municipal position on public issues, have an external focus on the community or are required by provincial legislation. Due to the higher level and external orientation of these policies, these policies are approved by Council.
2. Administrative Policies: are policies that are focused primarily on the internal operations and processes of the municipality. These policies direct staff by setting operational duties and expectations and guiding the administration's decision-making processes and are approved by the Chief Administrative Officer.
3. Procedures: are administrative guidelines which set out steps to be followed to implement and achieve the desired outcome of the policy.

Council Policies include those that Council adopts to govern the actions of its members and employees, ensure the financial integrity of the Corporation, and those required by legislation to be adopted by Council. Council's approval is necessary when the policy directly affects the public and Council's decision needs to be a part of the public record in keeping with open and accountable government.

Municipal Staff are presenting the recommendation that Council adopt the Municipal Corporate Policy Review Protocol attached to this report as Appendix "A". The intention of this protocol is to establish a Municipal Policy Review Team, with Municipal Council representation to review current policies with a set of standards, guidelines and protocols, to review current policies and to create and establish new policies where needed and necessary.

Municipal Corporate Policy Review Team: will be a working group comprised of members of the corporate senior management team and a proposed membership of two (2) members from Municipal Council responsible for reviewing proposed policies and policy revisions and referring such policies to their respective approval authorities.

The Municipal Corporate Policy Review Team is being recommended as a similar approach to the Municipal Council and Staff review of Municipal By-laws and as part of the existing By-law Review Team Protocol. The success of this program led to the passing of numerous by-laws that were repealed, amended, and created by Staff and Council. Staff believe that the same method could be successfully used in order to review Corporate Policies that are in need of a review and update.

It should be noted that all Corporate Policies will proceed through this Review Protocol and Team whether or not they are Council or Administrative. This will be sure that policies are remaining consistent and are relevant and consistently kept on track relating to review and revision and to determine what needs to be presented to Council for adoption.

As explained in the attached Municipal Corporate Policy Review Protocol, the Municipal Clerk's Office, through the General Government Services Coordinator will be responsible for this working group and adhering to the approved protocol if passed by Municipal Council. Attached to this report is the detailed Terms of Reference for the Municipal Corporate Policy Review Protocol and Review Team.

As the Town of Cobourg starts to embark on the journey of developing and implementing an Equity, Diversity and Inclusion Strategy, all policies will be reviewed through the Equity, Diversity, Inclusion, and Accessibility Document Review Checklist (IDEA Checklist) once it is in place. This work will take some time with older policies, but all policies that are being reviewed or developed will be placed through the lens of Equity, Diversity, Inclusion and Accessibility.

#### Next Steps

If Municipal Council approves the attached Terms of Reference, the Municipal Clerk and the Chief Administrative Officer will implement the terms of the protocol starting with the Municipal Council approved policies inventory. Then the review team will begin the work of reviewing all policies, starting with those policies requiring "substantial edits" (both department/division-owned and HR policies) and all revisions and draft policies will be brought forward to Council for approval as they are completed.

### 7.0 FINANCIAL IMPLICATIONS/STAFFING/BUDGET IMPACT

There are no direct financial implications related to the budget, but this protocol will demand dedicated Staff time and will create a new process within the

Legislative Services Department and will require collaboration with other departments and divisions on a consistent and regular basis.

8.0 CONCLUSION

Policies are the foundation upon which decisions are made. They ensure consistent direction and application of the rules so it is important they are up-to-date and relevant in order to aid in good decision-making for both staff and members of council. To this end, it is valuable to ensure policies are clear, concise, unencumbered by procedure and regularly reviewed. The recommendations in this report seek to achieve all of these things and to ensure the role of council is upheld with respect to policy-making.

9.0 AUTHORIZATION ACKNOWLEDGMENT (SENIOR MANAGEMENT/CAO)



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Brent Larmer  
Municipal Clerk/Manager of Legislative Services



Tracey Vaughan  
Chief Administrative Officer

## APPENDIX “A”

### SCHEDULE ‘B’ – 3 COUNCIL AND STAFF MEETING GROUPS



## Corporate Policy Review Team Terms of Reference

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- Reporting to:** Council
- Composition:** Coordinator General Government Services  
Additional Member of Municipal Council  
Chief Administrative Officer  
Municipal Clerk/Manager of Legislative Services  
Deputy Clerk/Records Management Coordinator  
Manager of Human Resources  
Municipal Staff/Coordinators as required for review of department specific Policies will be invited to meetings as required.
- Term of Appointment:** No Term

### 1.0 Purpose

To develop and implement a framework for the development, review and updating of Municipal Policies and Procedures.

Process Plan Responsibility: (Municipal Clerk, General Government Services):

- a) Municipal Clerk's office to initiate and implement a plan;
- b) Develop a table of contents of required Town policies and procedures;
- c) Recommend NEW policies and procedures for development;
- d) Review, revise and update current policies and procedures;
- e) Develop internal protocol for regular review, updating and approval of Town policies and procedures which will include a review of policies every three (3) years or earlier;

- f) Develop an internal protocol for distribution, training and communication to staff;
- g) to consolidate, develop and review Corporate Policies to determine if obsolete, require updating or consistent with or superseded by the Municipal Act or any other Provincial Act or Legislation;
- h) Develop ongoing program (protocol) for identifying and updating older policies;
- i) Ensure all Divisions and Departments have access to the Policies search database as well as make Policies available to the Public and accessible.

## **2.0 Action Plan:**

- Establish working group tasked to review Corporate Policies with input from the appropriate Municipal Staff and appropriate Council Coordinator.
- In advance of Corporate Policy Review Meetings, Council members will be provided with a report listing current Policies under review.
- Council/Coordinators will be asked to attend meetings when Corporate Policies under their respective areas of responsibility will be discussed for their input, recommendations and plan of action;
- Once a Policy is reviewed and recommendations for revisions or repeal of Polices are proposed, a report will be prepared for presentation to Municipal Council for adoption and approval.

## **3.0 Corporate Policy Review Process**

1. Municipal Clerk will prepare agendas and specific Polices for review based on the following criteria:
  - a) Topics as directed by Council, CAO, Division Directors, General Government Services, Public Works, Planning and Development, Community Services or any other municipal department/division.
  - b) Urgent matters affecting the Municipality;
  - c) Policies under general review by Municipal Clerk to be categorized as:

- i. Corporate Policies now covered by Provincial legislation and not under municipal jurisdiction recommended for repeal;
- ii. Corporate Policies that are no longer relative/required recommended for repeal;
- iii. Corporate Policies that require a complete review and update;
- iv. Corporate Policies that could be consolidated with other relative Policies
- v. Corporate Polices that require minor adjustments to align with current legislation or circumstances;
- vi. Corporate Policies that are strictly administrative and do not require a review now or in the future will be identified and coded accordingly in the master Policy database and index.

#### **4.0 Policy Review and Revision**

In order to ensure policies and procedures are up-to-date and relevant, they should be reviewed every five (5) years or in accordance with any applicable legislation. Each policy should have a review date identified on the document to guarantee consistent revision of policies and to identify the currency of the document.

Meetings will be held on a bi-weekly basis generally on the 2<sup>nd</sup> Thursday of the month at 9:00 A.M.