

Solution Title: Council-Staff Relations		
Council Approved:	May 6, 2019	\$201-

HOW MIGHT WE:

How Might the Town of Pelham set a high standard to regulate relations between Town Council and town employees, in order to provide good governance, maintain public confidence and ensure a respectful workplace atmosphere.

KEY FACTS:

1. Definitions

"Chief Administrative Officer" or **"CAO"** means the head of town staff, as the only employee of Council, and who is responsible for the management of the day-to-day operations of town staff, as legislatively required and as may be directed by Council.

"Council" refers to the Mayor and all Members of Council for the Town of Pelham

"Employee" includes any person who performs work for The Corporation for wages

"Member of Council" means the Mayor or a Councillor

"Officer" includes the Chief Administrative Officer, the Treasurer and the Clerk of the Corporation

"Staff" includes Officers and Employees of the Corporation

2. Roles and Responsibilities

Successful relationships are achieved through a mutual understanding of roles and responsibilities, open communication, clarity in reporting relationships and clear council directions to staff.

Council's role is to govern while the role of staff is to advise, implement and manage delivery of services to the public. The roles are interdependent, yet distinct and work in harmony to fulfill the Town's mandate.

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The Council-Staff Relations Policy provides guidance to ensure a respectful, tolerant and harassment-free workplace, and to foster a positive relationship between Council and Staff.

The Town Clerk is responsible for receiving complaints and/or concerns related to this policy. Upon receipt of a complaint and/or concern, the Clerk shall notify:

1. In the case of an officer or employee of the corporation, the Chief Administrative Officer and the Human Resources specialist; or
2. In the case of Council, the Integrity Commissioner.

In the event of a discrepancy between the Council-Staff Relations Policy and the Code of Conduct for Members of Council, or any Policy, the language of the Code of Conduct for Members of Council shall prevail.

3. Purpose

The Council/Staff Relations policy is required under the Municipal Act, 2001, Section 270.

4. Legislative and Policy Support

The Municipal Act, 2001, as revised by Bill 68, requires Council to adopt and maintain a policy with respect to the relationship between Members of Council and the officers and employees of the Corporation. This Council-Staff Relations Policy identifies legislation, policy, procedures and practices in place to promote a respectful relationship between Members of Council and the officers and employees of the Town of Pelham, and augments those documents accordingly.

In addition to compliance with this Policy, Members of Council, Officers and Employees of the Corporation are required to adhere to related governing provisions, including, but not limited to:

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- Code of Conduct for Members of Council
- Respectful Workplace Policy
- Code of Ethics
- Council Rules of Procedure
- Human Resources Philosophy
- Accountability & Transparency

5. Joint Role of Council and Staff:

This Policy, in accordance with Section 270 of the Municipal Act, 2001, as amended, applies to all Members of Council, Officers and Employees of the Corporation of the Town of Pelham.

It is recognized that the relationship between Council and Staff is interconnected, while respecting and recognizing the separate and distinct roles each party plays. It is important for Council Members and Staff to respect one another's roles, which results in benefits to the community through provision of infrastructure and services in an efficient and effective way.

In general terms, Council's governance has a stewardship role and monitors the implementation of approved policies and programs while Staff have the responsibility for implementation and administration of policy and programs through the day-to-day operations of the Corporation.

Members and Employees shall:

- Demonstrate to one another and to the general public a commitment to accountability, transparency, trust, and integrity and to relate to one another in a courteous, respectful and professional manner;
- Act in a manner that enhances public confidence in local government through sound decision-making based on knowledge, expert advice and sound judgement;
- Operate in a working partnership to produce the best results and outcomes for the town, and for the collective public interests of the town;

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- d) Understand and appreciate each other's respective roles and responsibilities; and
- e) Maintain formal working relationships in order to promote quality and discourage favouritism;
- f) Refrain from disparaging criticism of Council Members and of Staff;
- g) Uphold decisions of Council, regardless of personal opinion or belief, and commit to the implementation of those decisions.

6. Respecting Time Priorities

- a) To ensure that all participants are suitably prepared for meetings, timelines shall be respected by all Members and Staff in order to prioritize appropriately and in accordance with direction given by Council or the CAO;
- b) Staff will focus on significant projects only once direction is given by Council to do so, or as required by legislation;
- c) Meetings between Staff and Members shall be by appointment where possible to ensure all parties are available and properly prepared for the discussion;
- d) It is recognized that employees are not expected to provide information or take action outside of regular administrative business hours, except in extenuating or emergency circumstances.

7. Council Principles:

- 7.1 The role of Council as a whole and which is expressed collectively, encompasses three components:
 - 1. Representative: represent constituents in dealing with issues, being mindful of the greater good of all constituents.
 - 2. Policy: make policy and establish principles to guide future actions and decisions.
 - 3. Stewardship: ensure financial and administrative resources are efficiently used and consistent with policy, legislation and Council objectives.

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7.2 In order to ensure positive and effective relations with Staff, and with a view toward respect for priorities and timelines, Members of Council will:

- a) Act in a way that enhances public confidence in local government;
- b) Set strategic objectives and goals for the organization in collaboration with the Senior Management Team;
- c) Comply with the Town's Council Code of Conduct and the Oath of Office sworn at the Inaugural Meeting of Council;
- d) Refrain from making comments, formally and informally, that disparage or harm the professional or ethical reputation of the Corporation or of Staff;
- e) Appropriately prepare for Council and Committee meetings through a review of the agenda materials and consultation with Staff;
- f) Govern the management of the organization by directing questions or concerns relating to the administration or management of the town primarily to the CAO or designate, and where appropriate meet with Departmental Directors by appointment, or to a Director with copy to CAO;
- g) Give direction to employees only through Council as a whole, or through the CAO who shall have the responsibility to direct matters as required;
- h) Understand that employees will undertake significant projects only once directed to do so by Council as a whole and/or through the CAO, or as required by legislation;
- i) Advise the CAO or Town Clerk of questions or concerns that may arise prior to Council meetings whenever possible, to ensure employees have appropriate time to formulate an informed and helpful response for consideration by Council;
- j) Recognize that certain employees are statutory officers and as such, have specific statutory authorities, duties, powers and responsibilities that cannot be interfered with;
- k) Understand that as individual Members, they have no greater right to request or receive access to records or information held by the town than any member of the public, and they cannot access records or information otherwise protected from disclosure;

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- I) Refrain from behaviour that could constitute an act of disorder or misbehaviour, or an abuse of power.

8. Staff Principles:

8.1 The role of Town Staff is to provide advice, support and recommendations to Council collectively, and to Council Members individually. Further, it is the role of Staff to implement Council decisions in keeping with legislation, policy and procedures in accordance with three components:

1. Representative: represent the organization and act with integrity and professionalism.
2. Policy: implement policy and establish.
3. Stewardship: manage the financial and administrative.

8.2 In order to ensure positive and effective relations with Members of Council, Staff will:

- a) Implement Council decisions in an impartial manner, ensuring that administrative practices and procedures are appropriately established;
- b) Serve Council as a whole rather than any individual Member;
- c) Provide a timely, professional response to Council, based on professional expertise, research and good judgement to assist Council with respect to decision-making authority;
- d) Carry out their duties based on political neutrality and objectivity, free from undue influence from any individual Member(s);
- e) Respond in a timely way to inquiries from Council and provide appropriate follow-up to keep Members informed, and responses will be provided to all Council Members for consistency;
- f) Refrain from criticism of Corporate policy, giving consideration on how making public comments impact the perception of the Corporation and of Council;
- g) Refrain from making public comments that harm or disparage the reputation of the Corporation or the Council, or any Member of Council;

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- h) Refrain from public comment on behalf of Council on matters related to Council decisions, without authorization to do so;
- i) Immediately advise Council, through the office of the Chief Administrative Officer, of any unintended or unexpected impact of policy decisions;
- j) Inform Council of legislative changes and/or program changes;
- k) Provide advice on policy, including recommended actions and options where applicable, and including financial and human implications where pertinent;
- l) Facilitate Council's decision-making role through timely information and analysis in reporting;
- m) Provide well-organized, timely agendas with all supporting materials;
- n) Treat Council with respect and courtesy.

SOLUTION STATEMENT:

It is the Policy of the Corporation of the Town of Pelham to promote and maintain a positive and respectful workplace environment by ensuring that interactions, communications and dealings amongst all individuals in the workplace community are polite, supportive, civil, constructive and respectful.