



## Corporation of the Township of Brock

### Staff Report to the Mayor and Members of Council

**From: Janean Currie**

**Position: Deputy Clerk**

**Title / Subject: Accountability and Transparency**

**Date of Report: March 3, 2023**

**Date of Meeting: March 13, 2023**

**Report No: 2023-GG-010**

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#### 1.0 Issue / Origin

On May 31, 2021 Resolution 46-5 was passed at the Committee of the Whole meeting.

**Resolution: 46-5**

Whereas one of the primary responsibilities that members of Council have is to serve and represent the residents and taxpayers of Brock Township, and that responsibility must be applied in a fair, equal, and transparent manner, and that public engagement in policy discussions and decisions is key to a healthy democratic system; and,

Whereas part of the responsibility on behalf of residents and taxpayers is in the form of communication to and from residents and taxpayers on matters of public policy and issues affecting The Township;

Therefore, Be It Resolved that The Council of The Township of Brock requests that Township Staff begin drafting a comprehensive extension to the current Council Code of Conduct or a separate set of policies which will confirm the obligations to residents and taxpayers including but not limited to a Council-Resident Charter which will include the following:

- Outline responsibilities that members of Council have to communicate with all residents and taxpayers of Brock Township in the manner chosen by individual Councillors;
- In the case of communications via social media, that a comprehensive and fair social media policy be included;
- A complaint and appeal process be developed which includes reports to Council whether the complaint originates from a Councillor to a resident, or a resident to a Councillor;

- A pledge that a member of Council will treat residents and taxpayers with respect and courtesy during all interactions;
- Outline circumstances in which a member of Council may discontinue communications with a resident or taxpayer and include a process of reporting to staff when such discontinuance of communication takes place, and further that a process and timeline be reviewed in which communication is to be reinstated;

Furthermore, that the work outlined in this motion follow best practices as laid out by organizations including, but not limited to, IAP2 Canada and Canadian Civil Liberties Association;

Furthermore, that the goal to complete this work be September 2022.

- Due to Municipal Elections 2022, the September deadline was extended.

## 2.0 Background

From Resolution 46-5, Staff deduced that it would involve three separate Policies to address all listed concerns, they are all intrinsically related to Transparency and Accountability.

- a. Social Media Policy – Appendix 1.
  - i. The Social Media Policy as written did not include guidelines for Council’s use of Social Media in terms of their responsibilities to The Township of Brock. Amendments have been made to account for Council participation and communications to the public using social media platforms.
- b. Public Engagement Charter – Appendix 2.
  - i. A Public Engagement Charter has been prepared and is in alignment with comparable municipalities.
- c. Council-Staff Relations Policy – Appendix 3.
  - i. In researching and updating the Townships Policies, it was found no Council-Staff Relations Policy existed which is legislated in the Municipal Act, 2001, c.25, s270(1).
  - ii. A Council-Staff Relations Policy has been prepared and is in alignment with comparable municipalities.

## 3.0 Analysis

- a. **Social Media Policy** – Appendix 1.
  - i. The Social Media Policy has been amended to include guidelines specific to Council and addresses the following section of Resolution 46-5:
    1. Outline responsibilities that members of Council have to communicate with all residents and taxpayers of Brock Township in the manner chosen by individual Councillors;
    2. In the case of communications via social media, that a comprehensive and fair social media policy be included;
  - ii. The use of the Council member title provides legitimacy for the perspective of social media providers and the public. Authority and influence are similar to the use of Corporate letterhead or other incidents of office.

- iii. All staff and Members of Council are required to adhere to this policy when using corporate social media accounts and personal social media accounts or websites that discuss, share or comment on Township business.

In reference to the following section of Resolution 46-5:

- b. Outline circumstances in which a member of Council may discontinue communications with a resident or taxpayer and include a process of reporting to staff when such discontinuance of communication takes place, and further that a process and timeline be reviewed in which communication is to be reinstated;
  - i. When engaging in any form of Media, digital or other, anyone has the right to discontinue communications with another person. Staff can not direct Council when they can discontinue communications or create a policy around this issue.
  - ii. It should be noted however, that when elected to public office, you are serving the public, and the public have the right to have an opinion on Township subject matter or individuals representing them, (good or bad). Elected officials have a responsibility to be open to public comment and feedback.
  - iii. Councils use of Social Media is guided by the Council Code of Conduct.
  - iv. Staff would like to remind Council that Members of Council are protected by the Ontario Human Rights Commission (OHRC) as well as the Township's Respect in the Workplace - Harassment and Violence Policy.
    1. It is the Township of Brock's goal to provide a healthy and safe work environment that is free from discrimination, harassment, or violence of any kind.
    2. Details regarding definitions of Discrimination and Harassment are outlined in addition to procedures for resolving and investigating complaints.
  - v. If a communication has threatening or discriminatory connotations, the Council Member should consider notifying appropriate authorities.
    1. Section 6.2 of the Social Media Policy speaks directly to Inappropriate or Unacceptable Content.
- c. **Public Engagement Charter** – Appendix 2.
  - i. The proposed Public Engagement Charter addresses Resolution 46-5 in reference to the following sections:
    1. A pledge that a member of Council will treat residents and taxpayers with respect and courtesy during all interactions;
    2. Furthermore, that the work outlined in this motion follow best practices as laid out by organizations including, but not limited to, IAP2 Canada and Canadian Civil Liberties Association;

The Public Engagement Charter has been written in consideration of the following Principles of Engagement, striving toward an effective, open and transparent government:

- Accountability and Transparency

- Adaptability
- Accessibility and Inclusivity
- Relevancy

**d. Council-Staff Relations Policy – Appendix 3.**

- The Municipal Act, 2001 S.O. 2001, c.25, s.270(1) requires that all municipalities adopt and maintain a policy regarding the relationship between Members of Council and staff.
- The Act also sets out the core responsibilities of the Mayor in s.225 and s.226, Members of Council in s.224, and staff in s.227.

This Council Staff Relations Policy is in alignment with current policies of The Township of Brock. It is important to outline and define best practices and the intent of this policy is to ensure that the relationship between Members of Council and Township Staff is co-operative and supportive with a clear understanding of their respective roles and responsibilities. To achieve Township objectives, clear and supportive communication must be present when working toward the common goal of maintaining good governance and the provision of exemplary public services.

The purpose of this Policy is to promote productive and respectful interactions and relationships between Members of Council and staff and to provide a mechanism to address workplace matters between the parties. This **Policy is to be applied wherever and whenever interactions occur - onsite at Township facilities or external to Township facilities, during or outside of regular hours of work.**

**4.0 Related Policies / Procedures**

These policies are part of a broader framework of policies that support productive working relationships between Members of Council, Staff, and members of the public. These policies include the:

- Accountability and Transparency Policy;
- Code of Conduct Policy;
- Respect in the Workplace - Harassment and Violence Policy;
- Use of Corporate Resources Policy;
- Procedure By-law.
- Customer Service Policy.

**5.0 Financial / Budget Assessment**

There are no financial implications related to the recommendations of this report.

**6.0 Climate Change Impacts**

There are no Climate Change Impacts

**7.0 Communications**

These Policies will be shared internally amongst all Members of Council and Township of Brock Staff. They will also be included on the Township website as a key component of our Code of Conduct Policies for Members, Staff, and Public as well as the township’s appointed Integrity Commissioner.

## **8.0 Conclusion**

Through implementation of the Council – Staff Relations Policy, The Township of Brock will meet the requirements of The Municipal Act, 2001 S.O. 2001, c.25, s.270(1), and continue to conduct Township business in a respectful and mutually beneficial capacity.

With the three Policies included in this report, Council and The Township of Brock commit to an Accessible and Inclusive environment in which communication and collaboration with the public is encouraged.

## **9.0 Recommendation**

BE IT RESOLVED THAT the Social Media Policy, The Public Engagement Charter, and the Council-Staff Relations Policy, be received; and

THAT the Social Media Policy, The Public Engagement Charter, and Council-Staff Relations Policy be adopted by Council.