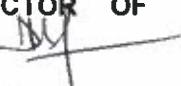
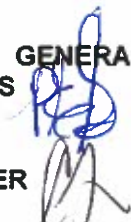

TO: GENERAL COMMITTEE


SUBJECT: ACCOUNTABILITY AND TRANSPARENCY POLICY – REVIEW AND UPDATE

WARD: ALL

PREPARED BY AND KEY CONTACT: W. COOKE, DEPUTY CITY CLERK, EXT. 4560

SUBMITTED BY: D. MCALPINE, DIRECTOR OF LEGISLATIVE AND COURT SERVICES/CITY CLERK 

GENERAL MANAGER APPROVAL: P. ELLIOTT-SPENCER, MBA, CPA, CMA, GENERAL MANAGER OF COMMUNITY AND CORPORATE SERVICES 

CHIEF ADMINISTRATIVE OFFICER APPROVAL: C. LADD, CHIEF ADMINISTRATIVE OFFICER 

RECOMMENDED MOTION

1. That the updated Accountability and Transparency policy attached as Appendix "A" to Staff Report CLK004-14 be adopted.

PURPOSE & BACKGROUND

2. City Council approved the Accountability and Transparency Policy on December 16, 2007. This policy is subject to review by each term of Council.
3. The Accountability and Transparency Policy was prepared in response to Bill 130, The Municipal Statute Amendment Act, 2006 that amended the Municipal Act, 2001. Bill 130 provides local governments with expanded powers/authority and increased legislative freedom while requiring enhanced transparency and accountability. Section 270 of the revised Municipal Act, 2001 requires each Council to adopt and maintain a policy related to accessibility and transparency.

ANALYSIS

4. Staff reviewed the existing policy to ensure that it still met legislative and municipal by-law and policy requirements. To ensure consistency with other municipalities, staff undertook a benchmarking exercise in this regard with the assistance of the City of Barrie's Association of Municipal Managers, Clerks and Treasurers of Ontario Intern. The policy was also updated to reflect new initiatives that have been implemented since 2007 to improve communications and enhance interactions with the community.
5. As a result of the above, the following changes are being recommended to the policy:
 - Enhancement and clarification of the policy statement;
 - Update of the Community Vision;
 - Updates to the specific policy requirements, increasing the list of examples of how the City of Barrie provides accountability and transparency and adding a section related to the members of Council;

- Enhancement and clarification to the Public Participation and Information Sharing section; and
- Addition of a Section entitled "Monitoring and Contraventions".

ENVIRONMENTAL MATTERS

6. There are no environmental matters related to the recommendation.

ALTERNATIVE(S)

7. There are two alternatives available for General Committee's consideration:

Alternative #1

General Committee could recommend that the existing policy be maintained.

This alternative is not recommended as the proposed amendments reflect legislative and corporate updates. The amendments also provide consistency with the policies of other municipalities.

Alternative #2

General Committee could recommend further changes to the policy.

This alternative is available to General Committee. The policy that has been provided is in keeping with a recommended format and consistent with policies from other municipalities.

FINANCIAL

8. There are no financial implications for the Corporation resulting from the proposed recommendation. The policy itself speaks to the City's commitment to efficient and effective financial management.

LINKAGE TO 2010-2014 COUNCIL STRATEGIC PLAN

9. The recommendation included in this Staff Report is not specifically related to City Council Strategic Priorities. It does specifically relate to the broader goals established in the Strategic Plan regarding governance and service excellence and Council's commitment to providing an accountable and fiscally responsible level of government.
10. The recommendation(s) included in this Staff Report support the following goals identified in the 2010-2014 City Council Strategic Plan:
- Improve and Expand Community Involvement and City Interactions

APPENDIX "A"

DRAFT ACCOUNTABILITY AND TRANSPARENCY POLICY

<p>Policy Statement:</p>	<p>The Council of The Corporation of the City of Barrie acknowledges that it is responsible to provide good government for its stakeholders in an accountable and transparent manner by:</p> <ul style="list-style-type: none"> a) Encouraging public access and participation to ensure that decision making is responsive to the needs of its constituents and receptive to their opinions; and b) Delivering high quality services to our citizens according to accepted best practices; c) Promoting the efficient use of public resources and in ensuring a process of continuous improvement; and d) Commitment to providing information disclosure, subject to any limitations established under the Municipal Freedom of Information and Protection of Privacy Act. <p>Accountability, transparency and openness are standards of good government that enhance public trust. They are achieved through the City of Barrie adopting measures ensuring, to the best of its ability, that all activities and services are undertaken utilizing a process that is open and accessible to its stakeholders. In addition, wherever possible, the City of Barrie will engage its stakeholders throughout its decision making process which will be open, visible and transparent to the public.</p>
<p>Purpose/Application:</p>	<p>The Municipal Act, 2001 (the Act) requires that all municipalities adopt and maintain a policy with respect to the manner in which the municipality will attempt to ensure that it is accountable to the public for its actions, and the manner in which the municipality will attempt to ensure that its actions are transparent to the public. The purpose of this policy is to provide guidance for the delivery of the City of Barrie's activities and services in accordance with the principles as outlined herein. This policy has been developed in accordance with the Act to comply with section 270.</p> <p>This policy applies to the political process and decision making and to the administrative management of the municipality.</p>
<p>Definition(s):</p>	<p>For the purpose of this policy, the following terms shall have the meaning as ascribed to them:</p> <ul style="list-style-type: none"> a) Accountability – The principle that the municipality will be responsible to its stakeholders for decisions made and policies implemented, as well as its actions or inactions. b) Transparency – The principle that the municipality actively encourages and fosters stakeholder participation and openness in its decision making processes. Additionally, transparency means that the municipality's decision making process is open and clear to the public.

	<p>c) Stakeholder – Any individual person, organization or entity that has an interest or stake in the City’s business, actions or inactions</p>
<p>Community Vision</p>	<p>Community Vision: The City of Barrie is an exciting, caring, and progressive community we call home. We are committed to the growth and prosperity of Central Ontario’s leading City and most dynamic waterfront community. Our community will be built on the diversity of its economy and vibrancy of its people.</p>
<p>Specific Requirements:</p>	<p>Policy</p> <p>The principles of accountability and transparency shall apply equally to the political process and decision making and to the administrative management of the City of Barrie.</p> <p><u>I - Financial Matters</u></p> <p>The City of Barrie will be open, accountable and transparent to its stakeholders in its financial dealings as required under the Act. Some examples of how the municipality provides such accountability and transparency are as follows, but not limited to:</p> <ol style="list-style-type: none"> 1. External audits 2. Internal audits 3. Reporting/statements 4. Long term financial planning 5. Performance management through Public Sector Accounting Board (PSAB) 3150 standards 6. Procurement Policy By-law 7. Sale of Land By-law 8. Budget process 9. Municipal Performance Measures Program (MPMP) 10. Development Charges background studies and by-laws 11. Fees and Charges by-law 12. Corporate Business Plans 13. Corporate Performance Measures <p><u>II – Members of Council</u></p> <ol style="list-style-type: none"> 1. Council Code of Conduct 2. Integrity Commissioner <p><u>III - Internal Governance</u></p> <p>The City of Barrie’s administrative practices ensure specific accountability on the part of its employees through the following initiatives:</p> <ol style="list-style-type: none"> 1. General Employment Policies and Procedures 2. Statement of Principles/Code of Conduct for staff 3. Performance management and evaluation 4. Health and Safety

	<p><u>IV - Public Participation and Information Sharing</u></p> <p>The City of Barrie ensures that it is open and accountable to its stakeholders through implementing processes outlining how, when and under what rules meetings will take place. In accordance with the Strategic Plan, the City facilitates public involvement in its activities by providing for and hosting a variety of public meetings, open houses, workshops, presentation and stakeholder consultations to inform the public/stakeholders of City initiatives that are under consideration. The City's meetings will be open to the public when and as required under Provincial Legislation and/or City By-laws, members of the public will have an opportunity to provide comments in writing on specific items at these meetings or deputations outlining their opposition, prior to Council's consideration of a matter. In addition, the City of Barrie has adopted policies which ensure that participation by the public can be meaningful and effective, through timely disclosure of information by various means including print media, websites, etc. Some specific examples include:</p> <ol style="list-style-type: none"> 1. Procedural By-law 2. Community Based Strategic Plan 3. Council's Strategic Priorities 4. Notice By-law 5. Delegation of powers and duties policies and by-laws 6. Records Retention by-law 7. Planning notice requirements and courtesy notice regarding staff reports (beyond minimum requirements) 8. City of Barrie website 9. Publication of agendas and minutes 10. Appointment of an Integrity Commissioner 11. Social Media (Facebook, Twitter) <p>Other legislative measures which ensure accountability and transparency include, but not limited to:</p> <ol style="list-style-type: none"> 1. Municipal Conflict of Interest Act 2. Municipal Freedom of Information and Protection of Privacy Act 3. Planning Act 4. Building Code Act 5. Fire Protection and Prevention Act 6. Municipal Elections Act 7. Development Charges Act 8. Safe Drinking Water Act 9. Occupational Health and Safety Act 10. Emergency Management and Civil Protection Act
<p>Limitations</p>	
<p>Monitoring/Contraventions</p>	<p>The City Clerk shall be responsible for receiving complaints and/or concerns related to this policy. Upon receipt of a complaint and/or concern the City Clerk shall notify:</p> <ol style="list-style-type: none"> a) For all matters related to staff, the Department Manager or Director responsible for the area and/or Chief Administrative Officer; b) For all matters related to a closed meeting, the Closed Meeting Investigator or designate; OR

	c) For all matters related to Council, the Mayor or Head of Council designate and/or the Integrity Commissioner.
Implementation	This policy shall become effective immediately upon approval by City Council.
Date Approved by City Council	
Rationale and Legislative Authority	Section 270 of the revised Municipal Act, 2001 requires each Council to adopt and maintain a policy regarding accountability and transparency.
Related Policies	Notice By-law, Procurement By-law, General Employment Policy, Statement of Principles (Code of Conduct for staff), Delegation of Powers and Duties policy, Sale of Land By-law, Procedural By-law, Council and Committee Member Code of Conduct
Dates Updated and/or Amended	To be reviewed a minimum of once per term of Council.