

TOWN OF GEORGINA – CLERK’S DEPARTMENT
POLICY No. DAS-CL-027

Subject: ACCOUNTABILITY AND TRANSPARENCY POLICY	Authority, Ref. & Sec. Bill 130, The Municipal Statute Law Amendment Act, 2006 The Municipal Act, 2001			
Policy Classification:	Pages:	Year	Month	Day
Recommended/Approved by: Town Clerk	Contact Position for Inf. Town Clerk			

1. Policy Statement:

A policy to establish the manner in which Town Council will try to ensure that it is accountable to the public for its actions, and the manner in which Town Council will try to ensure that its actions are transparent to the public, as required by the Municipal Act, 2001.

2. Application:

This policy applies to Town Council, Committees of Council and Town staff.

3. Purpose:

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 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. The purpose of this policy is to provide guidance for the delivery of the municipality'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.

4. Definition(s):

In this policy, the terms “accountability” and “transparency” shall have the following meanings:

- i) Accountability – The principle that the Town will be answerable to its constituents for decisions made and policies implemented, as well as its actions or inactions
- ii) Transparency – The principle that the Town actively encourages and fosters public access to and participation and openness in its decision making processes. Additionally, transparency means that the Town’s decision making process is open and clear to the public.

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5. Description:

The Council of the Town of Georgina acknowledges that it is responsible to provide good government with respect to matters within its jurisdiction in an accountable and transparent manner by:

- Encouraging and facilitating public access to information about the Town’s services, programs and encouraging public participation to ensure that business is conducted openly and decision-making is responsive to the needs of the constituents and receptive to their opinions.
- Delivering high quality services to residents and businesses and actively seeking input for enhancing service delivery and achieving best policies.
- Promoting the efficient and effective use of public resources and permitting constituents the opportunity to evaluate the Town’s performance in this regard

Accountability, transparency and openness are standards of good government that enhance public trust. They are achieved through the municipality 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 constituents. In addition, wherever possible, the Town will engage its constituents throughout its decision making process which will be open, visible and transparent to the public.

6. Policy Requirements

The principles of accountability and transparency shall apply equally to the political process and decision making and to the administrative management of the municipality.

Town Council has endorsed policies that contribute to creating an accountable and transparent municipal organization. The specific policies are identified below. Town Council will continue to support the principles set out in this policy in its future initiatives:

i) Financial Matters

The Town will be open, accountable and transparent to its constituents in its financial dealings as required under the Act. Some examples of how the Town provides such accountability and transparency are as follows:

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1. *external audits*: The Town complies with the statutory requirement to appoint an auditor who conducts an annual independent audit and reports on financial statements. The auditor's report is available to the public.
2. *budget process*: Town Council has adopted a budget process that imposes requirements on the Chief Administrative Officer (CAO) and Directors to provide a rationale for proposed programs and expenditures.
3. *procurement policy*: The Town's purchasing by-law and procedures establish a mandatory process for the purchase of goods and services in order to ensure transparency and competitive procurement. Delegated authority to staff is subject to clear limits.
4. *sale of land*: the Town's sale of land policy requires that all surplus property be subject to a market appraisal.

ii) Administrative Management

The Town's administrative practices shall ensure specific accountability on the part of its employees through the following initiatives:

1. *code of conduct*: Town staff are subject to a code of conduct governing financial responsibilities and ethical behaviour. Managers are responsible for ensuring compliance with the code of conduct.
2. *hiring policy*: Town Council has adopted a hiring policy under the Municipal Act, 2001 which provides for a fair and transparent process and includes provisions governing hiring of relatives
3. *execution of documents by-law*: the by-law governing execution of documents provides clear direction and accountability for staff for matters that can be authorized without a report to Council
4. *delegated authority*: where matters have been delegated to staff, such authority is given within clear limits. This ensures

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that decisions affecting interested parties will not be made without public accountability.

5. *notice provision requirements:* Town Council has a current policy requiring the notification of the public
6. *closed meeting requirement:* Staff is required to indicate the legislative authority or reason for a closed meeting. Agendas are limited to the activities identified on the agenda and the resolution to go into session. Pecuniary interests are reported out as required. A Meeting’s Investigator has been appointed to ensure that the municipality complies with section 239 of the revised Municipal Act, 2001.

iii) **Public Participation and Information Sharing**

The Town Council ensures that it is open and accountable to its constituents through implementing processes outlining how, when and under what rules meetings will take place. The municipality's meetings will be open to the public when and as required under the Municipal Act, 2001, and members of the public will have an opportunity to make delegations or comments in writing on specific items at these meetings. In addition, the municipality 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.

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APPENDIX “1” to Accountability And Transparency Policy

The chart below is a cursory review of the activities and practices that hold the Town accountable and transparent. While this has been an extensive review, the list should not be viewed as complete. It is only some of the highlights.

Activity	Responsible Department	Comments
External Audit	Finance	Municipalities are required to undertake an audit. The auditor must be appointed by Council. The auditor is required by law to remain independent and must follow a strict set of standards of evaluation. The Town undertakes to review their auditor every 5 years in order to maintain financial integrity. Part of the audit includes the submission of the Financial Information Return (FIR) to the Province.
Procurement of Goods and Services By-law	Finance	This by-law clearly identifies the process for the purchase of goods and services. Limits are set. The by-law includes conflict of interest policies for Council and staff. The by-law also includes requirements for the sale or disposal or sale of equipment, etc.
Financial Management By-law	Finance	The objective of this by-law is to ensure that the financial affairs are efficient and accountable. The bylaw requires the development of operating and capital budgets, the authority for the payment of accounts, petty cash policies, financial reporting. Staff now report to Council on the financial status of the approved budget. This report makes Council and the public aware of any concerns as the fiscal year progresses. Staff is required to report on over and under expenditures spending shortfalls.
Development Charges By-law	Finance	Annual reporting of the actual expenditures and proposed expenditures is required. Also a legislated requirement to review the by-law within a 5 year time frame.
Execution of Documents By-law	Clerk	This by-law sets out the authority of staff to sign documents. The by-law augments the purchasing by-law however it is not limited to purchases. This by-law allows staff to enter into contractual agreements within defined limits. The requirement to escalate signing of documents is also outlined in the by-law.
Notice Requirements	Clerk	A new policy on notice requirement has been drafted for Council's review
Code of Ethics and Conduct for staff	Human Resources	This policy requires that staff carry out their duties on an impartial and objective basis. Impropriety and bias are to be avoided. The policy contains a duty to disclose and compliance obligations. The policy covers such things as appointments to committees, influencing decisions, fraud and breach of trust, acceptance of gifts or invitations, entertainment of others, campaigning and advocacy.

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Activity	Responsible Department	Comments
Acquisition and sale of land	Clerk	This policy defines the requirements for the sale and disposition of land. A new policy has been drafted for Council's review.
Recruitment Policies	Human Resources	This policy was developed as a response to changes made to the Municipal Act 2001.
Closed Meeting Requirements	Chair assisted by Clerk	Staff is required to indicate the legislative authority or reason for a closed meeting. Agendas are limited to the activities identified on the agenda and the resolution to go into closed session. Pecuniary interests are reported out as required.
Performance Measurement – MPMP, OMBI and Internal Measures	Finance is the lead for the measures however there is extensive department involvement	Finance is required to submit municipal performance measure directly to the province on a number of matters. Information on these measures is available publicly for all municipalities in Ontario. The Town also participates in the OMBI program. Again there are a substantial number of measures being collected under this program. OMBI members have utilized this information for comparisons in the past and are now producing an annual report available to interested persons. Staff also prepares internal performance measures for an annual report based on the same principles as the OMBI measures.
Reporting	All departments	There are a number of reports that are prepared quarterly, semi annually, annually for Council. They include: debenture reports, investment reports, write offs and uncollectibles, tax policy, grants to volunteers organizations, accessibility planning, population and household estimates, Annual Water Quality Report, Development Activity Report
Financial reports and general reporting to the Province and Federal Government	All departments	Many departments have a responsibility to their funding partners to submit financial reports on an annual basis. Reporting is usually specific to a program or project.
Fees and Charges By-law	Finance	The purpose of this by-law is to collect the various fees and charges for services at the Town. The by-law ensures that there is consistency in the application of the fee and that the information is available from a single source. This information was a requirement of the previous legislation and staff will be maintaining it in its current form.