

Staff Report



Corporate Services Department

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REPORT TO: Finance and Corporate Services Committee

DATE OF MEETING: October 28, 2024

SUBMITTED BY: Amanda Fusco, Director of Legislated Services/City Clerk, 519-741-2200, ext. 7809

PREPARED BY: Amanda Fusco, Director of Legislated Services/City Clerk, 519-741-2200, ext. 7809

WARD(S) INVOLVED: All

DATE OF REPORT: December 12, 2023

REPORT NO.: COR-2024-018

SUBJECT: Corporate Policy Update – New, Amended and Repealed Policies

RECOMMENDATION:

That the housekeeping edits to the Master Policy and proposed updated corporate policy template, attached as Appendix A to Corporate Services report COR-2024-018 be approved; and,

That the corporate policies listed in Appendix B to Corporate Services report COR-2024-018 be amended or repealed; and,

That the Pregnancy and Parental Leave Policy for Members of Council, attached as Appendix C to Corporate Services report COR-2024-018 be approved; and further,

That the Council Staff Relations Policy attached as Appendix D to Corporate Services report COR-2024-018 be approved.

REPORT HIGHLIGHTS:

- The purpose of this report is to present updates made to the Corporate Policy template to organize key information clearly and intuitively, approve new policies required by legislation and repeal policies that are no longer needed.
- The financial implications are none.
- Community engagement included creating a new policy tracking system (policy manual) and launching this service improvement corporation wide; in addition, presenting proposed changes and updated to the Corporate Leadership Team.
- This report supports the delivery of core services.

BACKGROUND:

In accordance with the Corporate Policy Development, Review and Management Master Policy approved in 2015, Policy review is a necessary process that needs to be completed by all

departments and policy writing staff every 3-5 years to ensure that the City's policies are all relevant with the most up-to-date information.

The last corporate policy review was completed in 2021 through report COR-2021-037, Corporate Policy Review – Repeal of Policies. Interruptions to this process have occurred due to the pandemic and staffing changes. As a result, many policies are now past-due for review.

Since that time, staff has continued to monitor the relevancy of corporate policies with a view to amending, repealing and replacement, repealing only as appropriate.

REPORT:

Policy Review & New Template

In the fall of 2023, a Lean® business process review was conducted to identify the pain points and interruptions within the existing policy review process. It was found that the lack of a standard process, staff responsibility and key performance indicators were the main contributing causes to the inefficiencies of the policy process. Research and benchmarking took place to develop an appropriate, long-term solution by utilizing readily available tools.

The review found that improvements to the centralization, maintenance and management of corporate policies would be beneficial for example, as such the use of a SharePoint repository for the maintenance and management of corporate policy review leveraging automation and workflows processes was established.

Additionally, it was noted that amendments to the Master Policy approved in 2015 to clarify and enforce policy classification of “Administrative” as opposed to a “Council” policy and provide flexibility to make minor grammatical amendments (i.e., gender inclusive language to change *he/she* to *they*) would improve policy currency and versioning. Staff have provided the proposed amendments to the Master Policy as Appendix A to this report.

Furthermore, the review found that development of a new corporate policy template containing fillable fields and providing clarity regarding data entry, removing redundant fields and clarifying scope would improve the user-experience and enhance readability. Staff have provided the proposed new template as Appendix A to this report.

Policies to be Amended or Repealed

As part of the policy review initiative, Directors reviewed with their respective General Manager a list of policies relating to their area and identified those which require minor amendments to add definitions, address legislative changes, improve clarity, housekeeping edits (i.e. revised titles, departments, gender neutral language) and address program or policy conflict or improve alignment. To improve readability and transparency, both a “clean copy” and a copy with tracked changes have been provided for each. A short explanation has been provided to explain why staff deem it is valid to amend these policies. Policies recommended for amendment are contained in Appendix B.

In some cases, this review revealed that the previously approved policies were no longer applicable for one of the following reasons:

1. Program or program funding no longer exists (6 policies).

2. Regulation or legislation is already in place (9 policies).
3. Policy has been replaced with another policy (0 policies).
4. Policy conflicts with another policy (3 policies).
5. Policy found redundant, outmoded or dysfunctional (4 policies).

A short explanation has been provided to explain why staff deem it is valid to repeal these policies. Policies recommended for repeal are contained in Appendix B.

Policies which need to be substantially amended are not included as these will be brought forward to Council in due course. Human Resources policies will also be brought forward separately to Council in due course.

New Policy Development

Through the policy manual review, it came to staff's attention that there are policies arising from legislative amendments to the Municipal Act (the Act), (Bill 68 - Modernizing Ontario's Municipal Legislation Act (2019)) that were not adopted. In accordance with [section 270 of the Municipal Act](#), the city is required to have a Council Staff Relations Policy and Pregnancy and Parental Leave for Members of Council Policy. Further details on the purpose and scope of each policy is defined below and Appendix C and Appendix D.

Council Staff Relations Policy [s. 270(1)(2.1) of the Municipal Act, 2001, as amended]

The purpose of the Council Staff Relations policy is to guide the nature of business interactions between Members of Council and Staff and provide a framework for that relationship. Council and Staff have different roles within the organization but they share common goals and purposes. Staff and Council rely on one another to move the municipality forward. Council provides political leadership and direction while Staff provide leadership, experience and expertise to implement Council decisions.

The proposed Policy is intended to complement the Code of Conduct for Members of Council and Procedure By-Law as well as other policies respecting workplace practices. This Policy outlines the existing governing frameworks, processes to be followed to maintain a respectful working relationship, and avenues to pursue if contraventions occur.

The City's Integrity Commissioner was consulted to ensure the policy provisions do not contravene or contradict existing accountability and transparency requirements including "Special Powers and Duties of the Head of Council" section 284.3 of Part VI.1 of the Municipal Act, 2001, as amended.

Material covered through the Council Orientation program also confirmed that a council staff relations policy is a best practice and explained that clarifications on expectations and roles is beneficial. A number of municipal Council Staff Relations Policies were reviewed to identify further best practices and the policy was developed in collaboration with internal staff in Human Resources, Office of the Mayor and Council and Corporate Leadership Team. The proposed Council Staff Relations Policy is attached as Appendix C to this report.

Pregnancy and Parental Leave for Members of Council Policy [s. 270(1)(8) of the Municipal Act, 2001, as amended]

The purpose of the Pregnancy and Parental Leave for Members of Council Policy is to establish a process for a member of Council to take a pregnancy or parental leave for up to 20 weeks without authorization from Council. The seat of the member who takes a pregnancy or parental leave can not be declared vacant if the leave is less than 20 weeks in accordance with the Act.

The Policy provides that Council supports a Member of Council's right to pregnancy and/or parental leave in keeping with the following principles:

- A Member is elected to represent their constituents;
- A Member's pregnancy and/or parental leave does not require Council approval and their office cannot be declared vacant as a result of the leave;
- A Member may continue to receive all communications entitled to them as a Member of Council from the City as if the Member were not on leave; and,
- A Member shall continue to receive all remuneration, and reimbursements that all Members of Council are afforded.

The Act specifically provides that the leave be taken "consecutively," meaning that the leave cannot be broken up. The implication of taking a leave is that Members would be absent from their legislative duties (e.g., attending meetings, participating in the discussion and voting on matters of business before Council and Standing Committee). If a Member were to return prior to the end of their leave date and participate in their legislative duties, the assumption is that they have ended their leave.

Members on leave may continue to receive any communications entitled to them as if they were not on leave (e.g., meeting agendas and other City business communications). They continue to receive all their remuneration, and reimbursements that all Members of Council are afforded. Apart from being excused from their legislative role, the Act does not address the balance of a Member's responsibilities (e.g., the extent to which the Member participates in constituent and community affairs). The address the balance of a Member's responsibilities staff have proposed a Leave Absence Form to address whether the member intends to continue receiving agenda materials, and/or desires to still attend events and receive communication providing much needed clarity to city staff.

The proposed Policy also allocates a process if the leave were to be extended beyond 20 weeks and requiring a resolution of Council. The proposed Pregnancy and Parental Leave for Members of Council Policy is attached as Appendix D to this report.

Summary

As a result of the continuous improvement initiatives noted above, staff recommend that Council approve the Master Policy amendments, repealed and revised policy lists and two new policies (Council Staff Relations and Pregnancy and Parental Leave for Members of Council) to ensure compliance with the Municipal Act.

STRATEGIC PLAN ALIGNMENT:

This report supports the delivery of core services.

FINANCIAL IMPLICATIONS:

Capital Budget – The recommendation has no impact on the Capital Budget.

Operating Budget – The recommendation has no impact on the Operating Budget.

COMMUNITY ENGAGEMENT:

INFORM – This report has been posted to the City’s website with the agenda in advance of the council / committee meeting.

CONSULT – This report was preceded by a presentation and a report to the Corporate Leadership Team to consult on the possible changes and timelines that would be implemented and presented to Council.

COLLABORATE – Communication with key stakeholders affected by the changes proposed in this report has been made by engaging them in the new Policy Tracking system on SharePoint and receiving feedback on their user experience. Policy review, amendment and development was completed in collaboration with Corporate Leadership, Human Resources, Legal Services, Office of the Mayor and Council and the Integrity Commissioner.

PREVIOUS REPORTS/AUTHORITIES:

- FCS-15-142 Corporate Policy Review
- FCS-16-001 Corporate Policy Review - Repeal of No Longer Required Policies
- COR-2021-037 Corporate Policy Review - Repeal of Policies
- *Municipal Act, 2001*
- *Planning Act*

APPROVED BY: Victoria Raab, General Manager, Corporate Services

ATTACHMENTS:

- Appendix A – Master Policy Amendments and Proposed Policy Template
- Appendix B – List of Proposed Appended and Repealed Policies
- Appendix C – Proposed Pregnancy and Parental Leave for Members of Council Policy
- Appendix D – Proposed Council Staff Relations Policy