

COMMITTEE OF THE WHOLE – DECEMBER 3, 2007

ACCOUNTABILITY AND TRANSPARENCY POLICY

Recommendation

The City Manager in consultation with the Senior Management Team recommends that the attached Accountability and Transparency Policy be adopted.

Economic Impact

There is no economic impact as a result of this report.

Communications Plan

A news release will be prepared to advise of Council's action, and the policy will be posted on the City's Website.

Purpose

The purpose of this report is to place an Accountability and Transparency policy before Council for adoption in compliance with the Municipal Act.

Background - Analysis and Options

Accountability, transparency, and openness are standards of good government that enhance public trust.

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 Municipal Act was amended to include Section 270, which requires municipalities to develop certain policies but does not prescribe the content of these policies. The legislation requires that Council have policies in the following areas: sale of land, hiring of employees, procurement of goods and services, public notice and process, delegation of powers and duties, and accountability and transparency. Section 270 was proclaimed into force and will come into effect on January 1, 2008.

Vaughan enacted Disposal of Property Bylaw 121-95 in April 1995 and is in compliance with the requirement for a policy on sale of land. Over the years Council adopted various human resources policies and adopted recently revised policies on November 26, 2007, and is in compliance with the requirement to have hiring policies. Council adopted a revised Purchasing Policy on April 2, 2001 and adopted the recommendations of the Tendering Task Force in June 2004 regarding Vaughan's Bid Process and Bid Document and is in compliance with the requirement regarding procurement of goods and services.

Council enacted Notice Bylaw 394-2002 in December 1992 and Procedural Bylaw 400-2002 as amended, and is in compliance regarding public notice and process. The Procedural Bylaw was recently reviewed at the Committee of the Whole (Working Session) on November 27, 2007 and amendments will be coming forward to the Council meeting of January 28 2008.

A report providing a Delegation Policy is on this agenda, for Committee of the Whole's consideration on December 3, 2007. Upon adoption, Vaughan will be in compliance with this requirement.

Upon adoption of an Accountability and Transparency Policy, Vaughan will be in compliance with all parts of Section 270 of the Municipal Act prior to the section coming into force on January 1, 2008.

Vaughan has transparency/accountability initiatives currently in place as can be seen in the attached policy. Some relate to legislative requirements, and others were initiated by Council. Among these are an internal and external audit function. The external auditor is required by the Province and is appointed by Council operating independently and adhering to a strict set of evaluation standards designed to assess effectiveness, efficiency, risk and controls relative to City operations. In addition, the City has created an internal auditor position to perform objective assessments of risk, efficiency and effectiveness within specific program areas. Regular Audit Committee meetings are held to consider reports.

In addition, on April 23, 2007, Council established an Accountability and Transparency Committee to review the Code of Conduct for Council Members, confidentiality, accountability and transparency, and the Committee is to make recommendations to Council regarding the appointment of an Integrity Commissioner. Mayor Jackson (ex-officio), Regional Councillor Frustaglio (alternate to the Mayor), Regional Councillor Ferri and Councillor Shefman are on the Committee. On June 25, 2007 Council approved the Terms of Reference for the Committee. Applications were sought from Members of the public and two persons will be appointed on November 26, 2007.

On April 23, 2007, Council approved the position of an outside and independent Integrity Commissioner pursuant to Section 223.3 of the Municipal Act. Advertisements for this position were placed in The Globe and Mail, The Ontario Reports, The York University Website and Workopolis. Once the Committee appointments are complete, the Accountability and Transparency Committee can review applications for the position and make recommendations to Council on the appointment of the Integrity Commissioner.

A report regarding the appointment of a closed meetings Investigator was included on the Committee of the Whole Agenda for November 19, 2007 and will be considered by Council on November 26, 2007.

In addition, on April 2, 2007, Council established a Task Force on Democratic Participation and Renewal to address issues of voter participation in Municipal Elections to review opportunities to increase participation by current and future eligible voters.

Relationship to Vaughan Vision 2007

This report is aligned with the strategic goal to *Run Our City* by promoting effective governance through increased accountability and transparency.

Regional Implications

None.

Conclusion

Section 270 of the Municipal Act requires all Municipalities to adopt various policies by January 1, 2008, including an Accountability and Transparency Policy. Adoption of the policy attached to this report would ensure compliance with the Municipal Act. The Policy has been prepared in accordance with the Policy on Corporate Policy Development adopted on 2007.

Attachments

Attachment No. 1 – Draft – Accountability and Transparency Policy

Report prepared by:

Heather A. Wilson, Director of Legal Services

Respectfully submitted,

Michael DeAngelis
City Manager

**CITY OF VAUGHAN
POLICY MANUAL**

SECTION: Council	POLICY NO.: 01.34
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December 10, 2007

DEPARTMENT: Mayor & Members of Council	SUBJECT: Accountability and Transparency Policy
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I. Purpose/Application

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.

II. Definition(s): Accountability; Transparency

- i) 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.
- ii) 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.

III. Policy Statement

The Council of the City of Vaughan acknowledges that it is responsible to provide good government for its stakeholders in an accountable and transparent manner by:

- Encouraging public access and participation to ensure that decision making is responsive to the needs of its constituents and receptive to their opinions;
- Delivering quality services to our citizens; and
- Promoting the efficient use of public resources.

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 stakeholders. In addition, wherever possible, the municipality will engage its stakeholders throughout its decision making process which will be open, visible and transparent to the public.

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IV. Corporate Values

As part of the Vaughan Vision 2020 Strategic Plan, the City of Vaughan has adopted the following Corporate Values: Leadership, Innovation, Fairness, Respect, Inclusiveness, Integrity, Transparency, and Accountability.

V. 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.

i. Financial Matters

The municipality 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:

1. internal/external audit
2. annual reporting/statements
3. Purchasing Policy
4. Disposal of Property Bylaw
5. Open budget process and public meetings

ii. Internal Governance

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

1. Code of Conduct for municipal employees
2. performance management and evaluation
3. hiring and human resources policies
4. orientation/continuing education
5. health and safety
6. responsibility for ensuring that administrative practices and procedures recognize Council's commitment to accountability and transparency, through the City Manager's Office

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iii. Public Participation and Information Sharing

The municipality ensures that it is open and accountable to its stakeholders 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 Act, and members of the public may have an opportunity to make deputations 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 and websites. Some specific examples include:

1. Procedure By-law
2. Code of Conduct for Members of Council
3. Vaughan Vision 2020
4. Delegation policy
5. records retention
6. planning processes
7. Notice by-law
8. Committee and Council agendas on the City's Website
9. establishment of Accountability and Transparency Committee
10. appointment of Integrity Commissioner
11. appointment of Investigator