

CITY OF VAUGHAN

EXTRACT FROM COUNCIL MEETING MINUTES OF FEBRUARY 21, 2018

Item 2, Report No. 8, of the Committee of the Whole (Working Session), which was adopted without amendment by the Council of the City of Vaughan on February 21, 2018.

2 CORPORATE POLICY DEVELOPMENT AND MODERNIZATION

The Committee of the Whole (Working Session) recommends:

- 1) That the recommendation contained in the following report of the City Clerk, dated February 12, 2018, be approved; and
- 2) That the presentation and Communication C1, presentation material entitled, *“Corporate Policy Development and Modernization”*, be received.

Purpose

This report recommends a new corporate policy development and approval framework to ensure consistent and uniform policy development, revision and review.

Recommendations

1. That Council approve the revised policy on Corporate Policy Development in Attachment 1 of this report;
2. That Council enact the necessary by-law to delegate authority to the City Manager to approve administrative policies; and,
3. That Council approve the technical updates to the Delegation of Powers & Duties Policy CL-009, as set out in Attachment 2 of this report.

Report Highlights

- A revised policy on Corporate Policy Development is recommended to support an accountable and transparent policy framework for the City.
- The revised policy distinguishes between policies to be approved by Council and policies to be approved by the administration which is consistent with modern governance practices and is aligned with the City’s Delegation Policy.
- Newly-designed templates will ensure consistency and clarity in the form and content of all corporate policies and procedures.
- Upon approval of the revised policy, staff will proceed to identify policies for immediate review, policies that should be updated or repealed, and appropriate approval authorities for each policy.

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Background

In 2016, a staff Policy Committee was formed to conduct a review of policy development and governance and to consider new and updated corporate policies.

The City of Vaughan currently has 148 corporate policies across 22 departments. As previously reported to Council, an initial assessment of Vaughan's policy development resources and practices found that although Vaughan has many of the necessary tools in place, improvements are needed to strengthen accountability, transparency and empowerment through the policy process.

The policy assessment identified the need to more clearly distinguish between Council policies and administrative policies, and between policies and procedures. It also identified a requirement for more regular policy reviews to ensure that policies stay current with legislative and operational requirements.

The current policy template is outdated and does not serve as a strong guiding document. Formatting and details are inconsistent and lacking appropriate detail to ensure clear and concise direction. There is also a need to ensure that Council approved policies are more accessible by making them available to the public in an easy-to-read format on the City's website.

Improving the City's policies and policy processes through the Corporate Policy Development and Modernization initiative will strengthen accountability, transparency and empowerment through the policy process.

This initiative supports the Term of Council Priority "*Continue to advance a culture of excellence in governance*", and the Service Excellence Strategic Initiative "*Leadership Alignment – develop and implement a leadership alignment process that aligns people, process and technology to foster a culture of service excellence*".

Previous Reports/Authority

[Update on Leadership Alignment Policy Review](#)

Analysis and Options

Distinguishing between Council and administrative policies and assigning approval authority to the appropriate level is consistent with modern governance practices and enhances operational performance and service delivery.

Policies are fundamental tools of municipal governance that facilitate consistent decision-making. Both Council and administration (staff) require policies to help make decisions. However, Council and administrative policies differ in their function and approval authority. Council provides direction to the City's administration through the City Manager and through this direction, staff implement Council's decisions and

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establish administrative policies, practices and procedures accordingly.

The revised policy on Corporate Policy Development establishes criteria for determining whether a policy requires Council or Administrative approval.

Council policies are policies that set overall direction for administrative staff and standards of performance, define a city position on public issues, have an external focus on the community or are required by provincial legislation. Due to the higher level and often external orientation of these policies, they must be approved by Council.

Administrative policies are policies that direct staff by setting operational duties and expectations and guiding the administration's decision-making processes. Unlike Council policies, administrative policies are focused on the internal operations and processes of the municipality, and therefore it is appropriate that the City Manager has approval authority.

The revised policy on Corporate Policy Development provides that policy amendments of a minor, technical nature may be made by the City Manager without the need for Council approval. These amendments are defined as "minor deletions, additions or other administrative changes to any policy that does not alter the purpose or scope of the policy". Any such amendments made to Council policies will be documented and circulated to Members of Council.

Procedures are also defined in the revised policy as "administrative guidelines which set out steps to be followed to implement and achieve the desired outcome of [any] policy." Procedures are developed by the administration and do not require Council approval.

Where a by-law includes the delegation of authority to staff, the delegation will comply with the Delegation of Powers & Duties Policy (CL-009).

[Section 23.1\(1\) of the Municipal Act, 2001](#) (the *Act*) authorizes a Council to delegate its power and duties subject to certain restrictions. Section 270 of the *Act* further requires that municipalities adopt a Delegation Policy with respect to the delegation of Council's legislative and administrative authority. In 2007, Council adopted the 'Delegation of Powers and Duties Policy' (CL-009) which sets out the scope of the powers and duties within which Council may delegate its legislative and administrative authority and to establish principles governing such delegation.

Drawing a distinction between Council and administrative policies acknowledges the dynamic policy-making environment in which municipalities operate. A jurisdictional review of best practices supports the refinement of approval authorities and policy development governance instruments. Many municipalities across Canada have approved similar policy modernization initiatives, including a number of York Region municipalities. Policy modernization enables greater efficiency and timeliness for creating and updating policies while strengthening Corporate accountability and transparency.

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Several administrative matters have been delegated to staff over the years, including, for example, the authority to execute standard site plan, subdivision, model home, development and servicing agreements, authority to execute documents of an administrative nature, and delegated authority for certain fence height and noise exemptions. The delegation of Council's powers, duties or functions must be done by by-law and there are several delegation by-laws that deal with the various matters delegated to staff. In some instances, a corporate policy has been created to provide further direction and guidance regarding the execution of delegated authority. The revised policy on Corporate Policy Development specifies that any policy that references the delegation of authority to staff must comply with Policy CL-009.

To give effect to the new policy on Corporate Policy Development, a by-law to delegate authority to the City Manager to approve administrative policies and technical updates to the Delegation of Powers and Duties Policy CL-009, are required.

Standardized templates for corporate policies and supporting procedures have been developed to ensure that policies and procedures are presented in a streamlined, consistent and easy-to-read manner.

Sample policy and procedure templates used by other Canadian municipalities templates were reviewed for usability, clarity and structure. Both the policy and procedure templates (Attachments 3 and 4) include automatic features allowing policy authors to ensure a consistent and easy-to-read presentation.

Upon approval of the policy on Corporate Policy Development, staff will proceed with the next phase of the Corporate Policy Development and Modernization Initiative.

Staff will continue with the comprehensive review of existing policies, applying the criteria set out in the new Corporate Policy on Policy Development. Recommendations will be developed for:

a) Policies requiring immediate review:

Through a coordinated review of current Corporate policies, respective policy owners, department heads and staff will assess policies for priority review in consideration of the policy's currency, sensitivity, and legislative compliance.

b) Policies that should be repealed:

Criteria for repealing a policy will include but are not limited to the age of the policy and relevance to current legislative or organizational requirements.

c) Appropriate approval authorities for each policy:

Applying the definitions and criteria established in the revised policy on Corporate Policy Development, appropriate approval authorities (Council or Administrative) will be identified for each policy.

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A report will be submitted to Council detailing the results of this review and presenting recommendations for approval.

Staff will also be undertaking a review of the City's existing delegation by-laws to identify gaps and assess for legislative compliance and opportunities for consolidation. This will include a comprehensive review of delegation by-laws and practices in other municipalities. Recommendations arising out of this review will be designed to further support the modernization of the City's policy and legislative framework and streamline decision-making and administration.

Once policies are approved, they will be incorporated in a new Policy Manual made accessible corporate-wide as well as to the public. Council- approved policies will be posted on the City's web site.

Financial Impact

There is no immediate economic impact associated with this report

Broader Regional Impacts/Considerations

Consideration of City and Regional policy alignment may be required where appropriate.

Conclusion.

Policies are a valuable tool of municipal governance that facilitate consistent decision-making. The revised policy on Corporate Policy Development will strengthen the City's policy framework by providing an accountable, consistent, and transparent approach to policy development.

For more information, please contact: Barbara McEwan, City Clerk at barbara.mcewan@vaughan.ca.

Attachments

1. Policy on Corporate Policy Development
2. Technical updates to the Delegation of Powers and Duties Policy CL-009
3. Policy Template
4. Procedure Template

Prepared by

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(A copy of the attachments referred to in the foregoing have been forwarded to each Member of Council and a copy thereof is also on file in the office of the City Clerk.)