

**Township of Cavan Monaghan**

**By-Law Number 2011-84**

**Being a By-Law to Adopt an Accountability and Transparency Policy for the Township of Cavan Monaghan**

**Whereas Section 270(1) of the Municipal Act, 2001, S.O., c. 25 as amended, requires that all municipalities adopt and maintain a policy with regard 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;**

**And Whereas Report Number – Corporate Services – 2011-12 Accountability and Transparency Policy was considered at the Township of Cavan Monaghan Regular Meeting held December 19, 2011;**

**And Whereas it is deemed necessary to adopt a more encompassing Accountability and Transparency Policy for the Township of Cavan Monaghan in the form of Schedule "A" annexed hereto to this by-law;**

**Now Therefore the Council of the Township of Cavan Monaghan enacts as a By-Law as follows:**

- 1. That the Accountability and Transparency Policy for the Township of Cavan Monaghan in the form of Schedule "A" to this By-Law, be and it is hereby accepted and approved.**
- 2. That this policy be the subject of a review by each Council of the Township of Cavan Monaghan at least once during its term of office.**
- 3. That this By-Law shall come into effect immediately upon the passing thereof.**

**Read a first, second and third time and passed in Open Council this 19<sup>th</sup> day of December, 2011.**

  
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**Deputy Mayor Scott McFadden**

  
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**Deputy Clerk Nancy Davis**

## **Accountability and Transparency Policy**

### **I. Purpose/Application**

Section 270(1) of the Municipal Act, 2001, as amended, (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 Township activities and services in accordance with the principles set out herein. This policy has been developed in accordance with the Municipal Act.

### **II. Definition(s):**

**i). Accountability** – Being accountable means the Cavan Monaghan Township Council is clear in its actions, that its decision-making processes are understandable, that it is accessible to the citizens it represents, and finally, it is responsible for its decisions.

**ii). Transparency** – Transparency requires that the Township actively encourages and fosters stakeholder participation. Additionally, transparency means that the Township's decision-making process is accessible to, and presented in a form understandable by, the general public.

**iii). Stakeholder** – For the purposes of this policy, means any person or organization having an interest in the Township's actions.

### **III. Policy Statement**

The Council of the Township acknowledges that it is responsible to provide good government and to further the public interest. A well-managed and accountable government is judged not only on its service delivery role, but also on its representative and democratic role.

Accountability and transparency are two of the principles that guide public sector governance, in addition to integrity, stewardship, leadership, efficiency and customer service.

The three main reasons why there is a need for accountability in public service are as follows:

1. To ensure the responsible and appropriate exercise of powers;
2. To provide assurance in respect to the effective and efficient use of public resources and an adherence to the public interest; and

3. To ensure a process of continuous improvement regarding public administration and governance.

Accountability and transparency will be accomplished by:

1. Providing the resources to keep the public and its elected representatives fully informed;
2. Encouraging public participation and consultation to ensure that decision making is open, visible, inclusive and responsive to citizen preferences and needs;
3. Maintenance of existing services to our citizens;
4. Promoting the efficient and effective use of public resources;
5. Ensuring political, administrative and financial accountability, as provided for below; and
6. A commitment to full information disclosure.

#### **IV. Policy Requirements**

##### **A. Public Participation and Information Sharing**

###### **A.1 Transparent Decision Making**

Accountability and transparency require that the Township ensure that it is open and accountable to its stakeholders by developing and implementing processes that outline how, when and under what rules meetings will take place. As a rule, the Township's meetings will be open to the public and members of the public will have an opportunity to make delegations on specific items at these meetings. Meetings will only be closed to the public where the public interest requires and where holding a closed meeting is permissible by law. Some specific examples of implementing processes include:

1. Council Procedural By-Law;
2. Adhering to legislated open meeting requirements and, where necessary, closed meeting procedures;
3. A policy establishing how powers delegated to Staff will be exercised;
4. Public Distribution of Council Agendas and Reports on the Township's website;
5. Planning and Public Meeting Notices in accordance with the Planning Act and the associated Ontario Regulations;
6. Records Retention By-Law;
7. Media Relations Policy.

## **A.2 Communicating and Seeking Input**

The Township strives to ensure that, wherever possible, processes and decision making occurs in consultation with its stakeholders, and further, that proper notice is provided to the public and full disclosure of all information is provided.

Some specific examples include:

1. Adherence to a formal Notice Policy;
2. Using inserts in billings for increased communications with the public;
3. Maintaining a policy respecting the sale and disposition of land;
4. Development of various strategic plans and annual reporting on the plans;
5. Publication of a Newsletter;
6. Maintaining a Township Website;
7. Public Meeting Procedures.

## **A.3 Integrity and Respect for Relationships**

The Township strives to be open, accountable and transparent to its stakeholders in its relations with citizens, institutions and businesses. Examples of how the Township provides such accountability and transparency are as follows:

1. The Township will conduct itself in accordance with the Municipal Freedom of Information and Protection of Privacy Act and ensure that the public has access to information affecting the Township, the disclosure of which will not be detrimental to the broader public interest, and that personal information of third parties in the custody of the Township will be released only in accordance with the Act.
2. Conduct of Members of Council contained within Procedure By-Law.

## **B. Financial Matters**

Accountability and Transparency require that the Township be open, accountable and transparent to its stakeholders in its financial dealings. Some examples of how the Township provides such accountability and transparency are as follows:

1. Maintenance of internal audit controls;
2. Completion of the annual external audit;
3. Making financial statements, reports, agendas and strategic plans available on the Township's website;
4. Long term financial planning with 5 Year Capital Forecast;
5. Maintaining a formal insurance program to mitigate financial risks;
6. Maintaining an Asset Management Program as required by PSAB;

7. Maintenance of a public purchasing process in accordance with the Township's policies and by-laws governing the purchase of goods and services and achieving value for money;
8. Maintaining an open budget process with adequate notice of meetings;
9. Annual Financial Information Return;
10. Annual Financial Statement;
11. Development Charges By-Law;
12. User Fees and Service Charges By-Law;
13. Signing Authority By-Law;
14. Accounts Receivable Collection Policy;
15. Budget Variance Reporting;
16. Council Remuneration By-Law;
17. Municipal Performance Management Program;
18. Personal Vehicle Policy;
19. Purchasing By-Law;
20. Tax Collection Policy;
21. Financial Control By-Law.

The Township of Cavan Monaghan and its operations/governance are accountable and transparent to stakeholders in its financial management. Its policies, procedures and practices shall be put in place and monitored to ensure sound financial management and fiscal accountability.

### **C. Corporate Administration**

Administrative accountability and transparency requires that the Township ensure specific accountability on the part of its workforce by ensuring knowledgeable and competent employees through many different means as follows:

1. Formal system of staff performance management and evaluation;
2. Formal, open and fair hiring and employment policies;
3. A commitment to assist in funding continuing education and training;
4. Providing a safe, harassment-free, accessible and healthy workplace
5. A formal Years of Service Recognition Program;
6. Establishing, tracking and reporting on clear timelines for achieving objectives;
7. A formal system of compensation and benefit review to ensure equity and competitiveness;
8. General Conduct of Municipal Employees contained within Personnel By-Law;
9. Health and Safety Policy;
10. Return to Work Policy.

**V. The following are some of the provincial statutes that govern how the Township conducts its business:**

1. Municipal Act
2. Planning Act
3. Development Charges Act
4. Assessment Act
5. Building Code Act
6. Safe Drinking Water Act
7. Municipal Conflict of Interest Act
8. Provincial Offences Act
9. Municipal Freedom of Information and Protection of Privacy Act
10. Public Sector Salary Disclosure Act
11. Cemeteries Act
12. Vital Statistics Act
13. Fire Protection and Prevention Act
14. Emergency Management and Civil Protection Act
15. Municipal Elections Act
16. Gaming Control Act & Order in Council
17. Employment Standards Act
18. Occupation Health and Safety Act
19. Highway Traffic Act

The Township of Cavan Monaghan and its operations/governance are accountable and transparent to their stakeholders by fulfilling various legislative responsibilities. The Township shall conduct its business within its jurisdiction in accordance with the legislative requirements of Provincial Statutes, Ontario Regulation and any other applicable law.

**VI. Policy Implementation**

This policy shall apply equally to the political process and decision making and to the administrative management of the Township. It includes all operations of the Township.

The Township shall develop and approve policies, procedures and practices that contribute to creating an open, accountable and transparent public organization. All policies and procedures shall be developed, reviewed and monitored on the basis of the principles of accountability and transparency outlined in this policy.

Practices and procedures will reflect current legislative requirements and regulations. In the event of a conflict between this policy and legislative requirements, the legislative requirements will prevail. The Chief Administrative Officer is responsible for

ensuring that administrative practices and procedures to be followed by Staff recognize Council's commitment to accountability and transparency.