

POLICY & PROCEDURE MANUAL

SECTION	COUNCIL RELATED POLICIES	POLICY NUMBER	1.2.7
SUB-SECTION	GENERAL CORPORATE POLICY	EFFECTIVE DATE	February 11, 2016
SUBJECT	Accountability and Transparency Policy		
AUTHORITY	General Government Services Committee –Council – February 11, 2016		

PURPOSE:

The purpose of this policy is to comply with Section 270.1 of the Municipal Act, S.O. 2001, as amended, which requires that Municipalities adopt an Accountability Policy.

STATEMENT:

The County of Dufferin is proud to have procedures and practices in place that make it an accountable and transparent level of government. The County of Dufferin is interested and committed to continuing to ensure an accountable and transparent government and therefore established an ad hoc committee in 2015 composed of Committee Chairs and the Warden to review existing accountability policies and create new ones, as required.

Legislation:

Section 270.1 of the Municipal Act, 2001, requires all municipalities to adopt and maintain a policy to determine the manner in which the municipality will try to ensure that it is accountable to the public for its actions and that its actions are transparent to the public.

In this policy:

Accountability is how members of Council and staff are held to account for their actions, how actions are explained and the level of detail that are provided in justification of certain actions.

Transparency relates to the ability of members of the public to observe how decisions are made and implemented. The County currently exhibits transparency by adopting policies to ensure openness such as the procurement policy, hiring policy, holding open meetings, access to agendas and minutes, routine disclosure of information, codes of conduct, etc.

Open Meetings:

Meetings of Council and its committees are open to the public; however, there are instances where a portion of the meeting can be closed to the public. An explanation of how meetings are permitted to be closed to the public is explained below:

WHY DO MUNICIPAL COUNCILS AND LOCAL BOARDS HAVE MEETINGS OR PORTIONS OF MEETINGS THAT ARE CLOSED TO THE PUBLIC?

Municipal councils, local boards and their committees must meet behind closed doors on occasion to deal with some matters. For example, if a municipality is being sued or if council is considering purchasing a piece of land or if council must deal with a labour relations issue then it is appropriate that it be able to do so at a closed meeting. The purpose of such a closed meeting is to receive information or give direction.

Local government in Ontario must be transparent and accountable. To this end, the Province has set the rules for a council, local board or a committee to go into a closed meeting. These rules are found in section 239 of the Municipal Act, 2001, as amended. They must be strictly followed.

The permitted reasons for going into a closed meeting are:

- ✓ The security of property of the municipality or local board;
- ✓ Personal matters about an identifiable individual, including employees;
- ✓ A proposed or pending acquisition or disposition of land;
- ✓ Labour relations or employee negotiations;
- ✓ Litigation or potential litigation;
- ✓ Advice that is subject to solicitor-client privilege;
- ✓ A matter authorized by another provincial statute;
- ✓ If the subject matter relates to a request under the Municipal Freedom of Information and Protection of Privacy Act;
- ✓ The meeting is held for educating and training and no member discusses or deals with a matter in a way that materially advances the business or decision-making of the council or local board.

Before council, a local board or a committee begins the closed meeting, it must pass a resolution at a public meeting indicating that a closed meeting is being held and what the general nature of the matter to be considered is. A closed meeting shall not be held by council, a local board or committee before this resolution is passed.

Any person has the right to request an investigation as to whether the municipality, local board or committee complied with the closed meeting rules established by the Province or the Procedure By-law of the municipality or local board. A request must be in writing and should be directed to the municipal clerk unless there is provision for it to be sent directly to the municipality's Investigator.

If you have any questions about these closed meeting rules, contact the County Clerk:

Pam Hillock, Clerk
County of Dufferin
51 Zina Street
Orangeville, ON L9W 1E5
E-mail: phillock@dufferincounty.on.ca
Phone: 519-941-2816 (2503)

Mandatory & Optional Policies in Place:

The Corporation of the County of Dufferin has ensured that the following policies and procedures are in order to meet its accountability obligations:

Sale & Purchase of Land By-Law
Procedural By-Law – By-Law

- Minutes
- Open Meetings
- Access to Agendas

Notice Provisions
Hiring of Employees
Procurement of Goods and Services Policy
Code of Conduct (members of Council and staff)
Delegation of Authority By-Law

Most Common Legislation the County works under:

Municipal Act
Municipal Conflict of Interest Act
MFIPPA (Municipal Freedom Information Protection and Privacy Act)
Highway Traffic Act
Emergency Management & Civil Protection Act
Homes for Aged Act
Ontario Works Act
Social Housing Act
Ontarians With Disabilities Act
Building Code Act

Practices in Place:

Measures that are already in place that the staff and council practice and which contribute to ensuring an accountable and transparent Council include:

- Maintaining an Open Budget Process
- Posting all agendas and minutes on the web site in a timely manner (agendas are posted the Friday prior to each meeting and minutes are posted as soon as they are available)
- Inviting the press to special events and photo opps.
- Issuing Press releases on upcoming events and new initiatives
- Publication and Distribution of Council In Brief Newsletter
- Publication of Audited Financial Statement
- Publication of Performance Measures
- Responding in a prompt manner to local press
- Assisting and working with local municipalities in implementation of policies
- Working and sharing information and ideas with other Counties
- Maintaining co-operative working relationships with other levels of government
- Updating and Maintaining a Corporate policy binder
- Updating and Maintaining a Web site with explanations of all of the services provided by the County and a list of contact names and information
- Use of several social media platforms to inform public of departmental services and council business