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POL.COR.24.05

## Accountability and Transparency of Town Actions to the Public Policy

**Policy Type:** Corporate Policy (Approved by Council)

**Date Approved:** September 9, 2024

**Department:** Administration

**Staff Report:** FAF.24.096

**By-Law No.:** 2024-61

### Policy Statement

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The Town of The Blue Mountains is committed to providing efficient, accessible government services to its residents and being accountable and transparent to those it serves in its affairs.

Accountability, transparency and openness are standards of good government that enhance public trust. They are achieved through the Town 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 residents. In addition, wherever possible, the Town will engage its residents throughout its decision-making process which will be open, visible and transparent to the public.

### Purpose

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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 Town of The Blue Mountains activities and services in accordance with the principles as outlined herein, the Municipal Act, 2001, S.O. 2001, c.25 and any other applicable law.

The principles of accountability and transparency shall apply equally to the political process and decision making and to the administrative management of the Town of The Blue Mountains.

## Definitions

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**“Act”** means the Municipal Act, 2001. S.O. 2001, c.25 as amended.

**“Accountability”** means the Town of The Blue Mountains and its elected Council’s commitment, undertaking and duty to answer to those it serves for its actions, inactions and general state of affairs.

**“Committee”** means any advisory or other committee, subcommittee or similar entity of which at least 50 percent of the members are also members of one or more Councils or Local Boards.

**“Corporation”** means The Corporation of the Town of The Blue Mountains.

**“Council”** means The Council of the Town of The Blue Mountains.

**“Local Board”** means a local board established or exercising any power under any Act with respect to the affairs or purposes of one or more municipalities but does not include The Blue Mountains Police Services Board or The Blue Mountains Public Library Board, a school board, a hospital board or a conservation authority.

**“Town”** means The Corporation of the Town of The Blue Mountains.

**“Transparency”** means the Corporation and its Council’s commitment and undertaking to be open to those it serves in the execution of its offices, duties and activities and its commitment to public participation and input in its decisions and activities.

## Application

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The Council of the Town of The Blue Mountains acknowledges its duty to provide good municipal governance to those it serves. It further acknowledges that good governance is tied to and measured by its commitment to transparency in its affairs.

Accordingly, the Council of the Town of The Blue Mountains hereby affirms its commitment to accountability and transparency in its affairs. It intends to achieve these goals by:

- encouraging and permitting, where appropriate, public access to and participation in its processes, debates and meetings to ensure that its decisions and actions are responsive to the needs of its residents and receptive to their opinions,
- delivering high quality services to those it serves; and,
- promoting and monitoring the efficient use and expenditure of public resources

Accountability, transparency and openness are standards of good government that enhance public trust in municipalities and its elected officials. They are achieved through the Town adopting measures ensuring, to the best of its ability, that all activities and services are

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undertaken utilizing a process that is open and accessible to its stakeholders and compliant with the Act and any other relevant legislation.

The Town will promote accountable and transparent municipal governance guided by the following principles:

- i. Decision-making will be open, fair and transparent;
- ii. Municipal operations will be conducted in an ethical and accountable manner;
- iii. Financial resources and physical infrastructure shall be managed in an efficient and effective manner;
- iv. Municipal information will be accessible so that it is consistent with legislative requirements;
- v. Inquiries, concerns and complaints will be responded to in a timely manner;
- vi. Public access and participation will be encouraged to ensure that decision making is responsive to the needs of its constituents and receptive to their opinions;
- vii. An open, responsive meeting process will ensure that residents have access to and awareness of the Council/Committee business being discussed;
- viii. Every new delegation of power or authority will include appropriate accountability mechanisms;

Wherever possible, the Town will engage those that it serves throughout its decision-making process which will be open, visible and transparent to the public, as follows:

- i. **Open Council Sessions:** All discussions related to official council business, including policy deliberations, decision-making processes, and relevant matters, shall take place during open council sessions. Closed-door meetings (that are not included on a meeting agenda) among council or committee members are strictly prohibited for official business.
- ii. **Public Accessibility:** Council sessions, committee meetings, and any other gatherings related to official business shall be accessible to the public. Meetings may be live-streamed or recorded to facilitate broader public engagement.
- iii. **Documentation and Records:** Comprehensive records of all council discussions, decisions and supporting documents shall be maintained and made available to the public upon request. This includes meeting minutes, reports, and any other relevant materials.
- iv. **Notification of Meetings:** Advance notice of all Council sessions and Committee meetings, along with the agenda items, shall be provided to the public.
- v. **Confidential Matters Exception:** While promoting transparency, certain matters may be confidential due to legal, personnel, or sensitive issues. In such cases, closed sessions may be held but the nature of discussions and decisions may be disclosed to the public once the confidentiality concerns are resolved.
- vi. **Ethical Conduct:** Council members are expected to uphold the highest standards of ethical conduct in all interactions related to official business. Any attempt to circumvent the open and transparency process outlined in this policy will be considered

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a breach of conduct and should be reported to the Council's Integrity Commissioner for investigation.

By adhering to this policy, the Council aims to build public trust, encourage civic participation, and uphold the principles of open and transparent governance.

### **Procedures**

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Principles of accountability and transparency apply equally to the political process, exercise of municipal authority and prerogatives and the Corporation's administration.

The Corporation shall meet its duties and responsibilities and prerogatives prescribed in the Act and any other applicable law in the exercise of its affairs and appoint such officials to review its practices as required by the Act.

More specifically, but without limiting the generality of the foregoing, the Council and Corporation shall adhere to the following principles and practices with respect to the following subject matters:

#### **Financial Matters**

The Corporation will be open, accountable and transparent to those it serves in its financial dealings as required by the Act and all other applicable law.

Rigor will be applied and achievement will occur through:

1. Regular review of its activities and finances;
2. Reporting of its finances and preparation of relevant financial statements;
3. Long term financial planning;
4. Fees and Charges By-Law;
5. Managing its assets in a fiscally prudent and open manner;
6. Adopting and/or adhering to appropriate purchasing/procurement policies and/or bylaws adopted or amended from time to time;
7. Adopting and/or adhering to appropriate policies with respect to the sale of the Corporation's land; and
8. Forecasting and adhering to established budgets.

#### **Internal Governance**

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

1. Appointment and retention of competent leadership, including without limitation a Chief Administrative Officer;
2. Adoption of a Code of Conduct for all the Corporation's employees;

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3. Establishment of a fair and consistent performance management and evaluation process;
4. Fair and transparent hiring practices and policies;
5. Adoption of consultative policies and practices; and
6. Adherence to a continuous improvement philosophy in regards to accountability and transparency

### **Public Participation and Information Sharing**

The Corporation strives to be open, transparent and accountable to those it serves through the implementation of processes outlining how, when and under what rules meetings will take place.

Council and its Committee meetings will be open to the public when and as required under the Act, and members of the public will have an opportunity to make deputations or comments in writing or verbally on specific items at these meetings in accordance with the Corporation's Procedural By-law.

The Town's information shall be readily available to the public subject to the requirements of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).

The Corporation welcomes the public's participation in its affairs and commits to providing policies and procedures to assist and support the public to participate. Its communication policies and strategies will ensure timely dissemination of notices, decisions and other matters concerning the Corporation and its affairs. Such information will be made publicly available through print material, the Corporation's website, social media platforms and the media.

Examples of available materials addressing the Council and Town's commitment to accountability and transparency include, but are not limited to the Corporation's:

1. Procedural bylaw
2. Strategic plan/priorities
3. Deputation rules
4. Records retention policies
5. Appointment of Integrity Commissioner and Closed Meeting Investigator
6. Budget
7. Planning processes
8. Provision of Notice and Manner of Providing Notice to the Public Policy; and
9. Agendas and minutes posted to the Town's website.
10. Lobbyist Registry, once approved.

### **Exclusions**

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This Policy applies to all actions and decisions of the municipality without exclusion or exception, unless otherwise prohibited for by statute.

## **References and Related Policies**

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Municipal Act, 2001

Provision of Notice and Manner of Providing Notice to the Public Policy, POL.COR.24.04

Delegation by Council or Powers and Duties Policy, POL.COR.07.04

Sale and Other Disposition of Land Policy, POL.COR.07.02

Closed Session Meeting Policy, POL.COR.09.08

Purchasing of Goods and Services Policy, POL.COR.07.05

Hiring of Employees Policy, POL.COR.22.02

Performance Management Program Policy, POL.COR.22.03

Town Procedural By-law 2023-62

## **Consequences of Non-Compliance**

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Non-compliance with the Municipal Act, 2001 is subject to the remedies prescribed therein.

## **Review Cycle**

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Council and the Senior Management Team will review this policy once per term of Council in open session.