



Policy on Council / Staff Relations

Policy #	74
Effective Date	September, 2019
Review Date	Each Term of Council or as required to implement Legislative Changes
Status	Current
Final Approver	Council

1.0 Purpose

- 1.1 In keeping with the Corporate Values of the City, the intent of this Policy is to ensure that the relationship between Members and City Staff is co-operative and supportive with a clear understanding of their respective roles and responsibilities.
- 1.2 This Policy has been prepared in accordance with sub-clause 270 (1) 2.1 of the *Municipal Act, 2001*, as amended, which requires Council to adopt and maintain a policy with respect to the relationship between Members of Council and the officers and employees of the City.

2.0 Persons Affected

- 2.1 This Policy applies to all Members and all City Staff.

3.0 Policy Statement

The City of Kingston will promote a respectful, tolerant, harassment-free and collegial relationship and workplace between Members and City Staff, guided by the Member Code of Conduct, the Council Procedural By-law Number 2010-1, as amended from time to time, the Employee Code of Conduct, the Respect in the Workplace Policy and the Employee Conflict of Interest Policy.

3.1 Clarifying Roles

3.1.1 Role Clarification

Role clarification is fundamental to the success of the working relationship between Members and City Staff. Both Members and City Staff shall endeavor to enhance public education and understanding of the political and legislative process by providing context and process information as it pertains to decision-making.

(i) Role of Members and City Staff

- a. To demonstrate commitment to communication and consultation among ourselves and with members of the public and our community partners;
- b. To demonstrate leadership, relying on our knowledge and sound judgment in the provision of information within our collective and individual areas of expertise; and
- c. To maintain confidentiality and, where appropriate, ensure that all confidential matters are discussed or communicated in the proper forum.

(ii) Role of Members

- a. To conduct themselves in an ethical and respectful manner at all times;
- b. To act in manner consistent with the effective and responsible governing of the municipality in a transparent and accountable manner;
- c. To set and clearly articulate strategic goals and objectives for the municipality based on consultation with City Staff and, where applicable, members of the broader community;
- d. To render decisions regarding matters of service level delivery and corporate policy based on consultation with City Staff and, where applicable, members of the broader community;
- e. To respond to concerns from the public and, where appropriate, refer the concerns to City Staff through the Mayor or Chief Administrative Officer for action;
- f. To only give direction to City Staff through resolution by Council as a whole;
- g. To be open to discussion with and to seek clarification from City Staff as required; and

- h. To be respectful of the role of City Staff pertaining to their administration or management of the day-to-day operations of the municipality.

(iii) Role of City Staff

- a. To conduct themselves in an ethical, respectful and professional manner at all times;
- b. To provide timely, well researched, accurate reports to Council and Committees of Council based on professional expertise and judgment to assist in the decision-making process;
- c. To effectively implement all decisions and directions received from City Council in a timely and professional manner;
- d. To manage and identify the means for achieving corporate goals and objectives as set by City Council;
- e. To develop and implement operational policies and procedures to ensure the effective, efficient, transparent and accountable management and operation of the municipality;
- f. To manage and identify effective means for achieving corporate goals;
- g. To ensure that Members are kept up-to-date and informed;
- h. To be open to discussion and seek clarification as required; and
- i. To refrain from engaging in, or assuming, a political role within the discharging of their assigned duties.

3.1.2 Working Relationship

Members and City Staff commit to the following to achieve a highly effective working relationship:

- i. Where appropriate, or deemed necessary, Members shall:
 - a. Request City Staff input and advice prior to making important policy decisions and clearly convey feedback to City Staff;
 - b. Discuss issues with appropriate members of City Staff and, whenever possible, advise City Staff of questions prior to meetings of Council or Committees of Council;
 - c. Request advice from the City Clerk, and where applicable the City Solicitor, regarding the appropriateness of wording for proposed motions, amendments and formal directions to City Staff in accordance with the City's Procedural By-law; and

- d. Prior to providing information to constituents regarding operational or corporate policy matters, confirm the details with the appropriate City Staff where necessary.
- ii. Members of City Staff shall:
 - a. Ensure that Members of City Council are apprised of issues that may directly, or, indirectly impact their constituents and/or their decision-making process through either the Chief Administrative Officer or senior management;
 - b. Present balanced and consistent input and advice to Members at all times;
 - c. Notify Members of legislative changes including the identification of direct or indirect impacts on existing City budgets, policies and procedures;
 - d. Notify Members of changes to City policies that may directly or indirectly impact the delivery of city services or change regulatory requirements;
 - e. Notify Members of the potential for media and/or public inquiries as a result of decisions made by City Council, Committees of Council or City Staff or incidents within the community;
 - f. Notify Members of media inquiries or media releases when necessary; and
 - g. Through the Chief Administrative Officer or senior management, as appropriate, convey feedback to Members of existing policies or other workload demands and related issues.

3.1.3 Guiding Principles

- a. Members and City Staff shall treat each other with respect at all times, including respect for the private lives of each.
- b. Members and City Staff shall demonstrate integrity and community and corporate leadership at all times in the discharging of their respective duties.
- c. The provision of advice and guidance by members of City Staff and the rendering of decisions by City Council should be based on complete, balanced, consistent and accurate information for the betterment of the community as a whole.
- d. The Chief Administrative Officer or their designate is responsible for the overall administration and management of City operations and the

performance and, where required, the discipline of all members of City Staff.

- e. All inquiries – written and verbal - from Members concerning city operational or administrative matters should be directed either to the Chief Administrative Officer or their designate or the appropriate member of the Corporate Management Team, or to another member of senior staff as deemed appropriate.
- f. City Staff shall not be targets of derogatory behavior or conduct on the part of Members.
- g. City Staff shall refrain from making derogatory comments regarding Members.
- h. Members shall not permit City Staff to be subjected to derogatory comments and/or behavior or conduct on the part of members of the public or individuals conducting business with the City of Kingston.

4.0 Responsibilities

- 4.1 City Council shall be responsible for approving and maintaining this Policy.
- 4.2 All Members and City Staff shall adhere to this Policy and its governing provisions, including the Member Code of Conduct, the Council Procedural By-law Number 2010-1, as amended from time to time, the Employee Code of Conduct, the Respect in the Workplace Policy and the Employee Conflict of interest Policy.
- 4.3 As a Policy, this document is intended to summarize the other documents referenced herein. Where there is a discrepancy between this Policy and the Member Code of Conduct or the Employee Code of Conduct, the respective Code of Conduct shall prevail.

5.0 Complaint Process

5.1 Receipt of Complaints

The Clerk shall be responsible for receiving complaints and/or concerns related to this Policy. A complaint or concern with respect to City Staff shall be submitted in writing on the attached Form 1. A complaint with respect to a Member shall be submitted in writing on the Code of Conduct – Formal Complaint Form/Affidavit.

5.2 Informal Complaint Process

- i. Should a complaint or concern be received with respect to a Member or City Staff, the Chief Administrative Officer, upon the receipt of the consent of the affected parties, shall first facilitate an informal resolution to the matter or conduct that are the subject of the complaint between the parties.
- ii. Where the complaint or concern directly involves the Chief Administrative Officer, the Informal Complaint Process shall be facilitated by the Mayor.
- iii. Should the matter not be resolved through the Informal Complaint Process, the matter shall be referred to the Formal Complaint Process identified in subsection 5.3 below.

5.3 Formal Complaint Process

Upon receipt of notification that a complaint and/or concern was not resolved through the Informal Complaint Process, the Clerk shall notify:

- (a) In the case of City Staff, the Chief Administrative Officer, or the Mayor if the complaint or concern directly involves the Chief Administrative Officer. Under the Formal Complaint Procedure the complaint or concern would be referred to the Director of Human Resources and Organization Development and other senior staff as deemed appropriate to address and resolve the complaint or concern; and
- (b) In the case of a Member, the complaint or concern shall be referred to the Integrity Commissioner who shall investigate the matter in accordance with the provisions of the *Municipal Act*.

6.0 Approval Authority

Role	Position	Date Approved
Quality Review	City Clerk	
Subject Matter Expert	City Clerk	
Legal Review	Director of Legal Services	
Management Review	Commissioner	
Final Approval	Council	

7.0 Revision History

Effective Date	Revision #	Description of Change

8.0 Appendix

Form 1 - Notice of Concern or Complaint Re: An Officer or Employee of the City of Kingston

9.0 Related Definitions

For the purposes of this Policy:

- 8.1 “Clerk” shall mean the City Clerk or their designate.
- 8.2 “Council” shall mean the Council of the Corporation of the City of Kingston.
- 8.3 “Member” shall mean a Member of Council or a Committee of Council.
- 8.4 “City Staff” shall mean the officers and employees of the City of Kingston.



Council / Staff Relations Policy

Notice of Concern or Complaint Re: An Officer or Employee of the City of Kingston

Please submit this Form to: City Clerk
216 Ontario Street, Kingston, Ontario, K7L 2Z3
E-Mail: jbolognone@cityofkingston.ca

Name of Officer or Employee: _____

Officer or Employee Title: _____

Officer or Employee Department: _____

Nature of Concern / Complaint

Print Name: _____

Signature: _____

Address: _____

Telephone Number: _____ E-Mail: _____

Date: _____