



Administrative Report

Office of the Director of Council & Community Services/Clerk

To: Warden McNamara and Members of County Council

From: Mary Birch
Director of Council & Community Services/Clerk

Date: Wednesday, February 20, 2019

Subject: Council – Staff Relations Policy and Council Code of Conduct Revisions

Report #: 2019-0220-CCS-R001-MB

Purpose

To seek Council approval of a Council-Staff Relations Policy and revisions to the Council Code of Conduct, in accordance with the Municipal Act, 2001 as amended by Bill 68.

Background

In 2018, as a result of Bill 68 – Modernizing Ontario's Municipal Legislation Act, 2016, a number of new provisions were enacted in the Municipal Act, which required some policy and by-law revisions by municipal Councils.

Essex County Council adopted:

- a new Parental Leave Policy;
- a new by-law providing rules for the appointment of temporary replacement members of County Council
- amended the Procedure By-law to allow additional closed meeting provisions and revise the definition of a meeting;
- renewed the appointment of an Integrity Commission

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Bill 68 also included an amendment to the Municipal Act, requiring municipalities to adopt a County-Staff relations policy by March 1, 2019, as well as assigned new powers and responsibilities to Integrity Commissioners, effective March 1, 2019.

Discussion

A Council-Staff relations policy, attached as Appendix A, has been drafted for Council's consideration. Currently, there are a number of policy documents which already establish expectations and commitments between Council and Staff, however, there is not one document whereby someone could easily reference those documents. The proposed County of Essex Council-Staff Relations Policy 2019-001 provides that clarity and ease of reference.

The new powers and responsibilities assigned to the Integrity Commissioner require revisions to the previously established procedures for filing complaints related to the Essex County Council Code of Conduct. As well, new duties of the Integrity Commissioner related to conflict of interest of Councillors also require amendments to be made to the Integrity Commissioner procedures. Amendments to Essex County Council Code of Conduct and Integrity Commissioner procedures are attached as Appendix B. The amended sections are highlighted or marked in red. A final version of the Essex County Council Code of Conduct is appended to By-law 06-2019.

Financial Implications

There are no financial implications of adopting the new Council-Staff Relations Policy.

The additional powers and responsibilities provided to the Integrity Commissioner has the potential to have financial implications for the municipality, as Councillors now have the ability to seek the guidance of the Integrity Commissioner on questions of potential Conflict of Interest, in addition to dealing with complaints regarding potential violations of the Council Code of Conduct.

Additional funds were included in the 2019 Budget in anticipation of the potential increased expenditures related to Integrity Commissioner Services.

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Recommendation

That Essex County Council-Staff Relations Policy 2019-001 be approved and further that By-law 06-2019 amending the Essex County Council Code of Conduct and procedures for addressing complaints to the Integrity Commissioner be adopted.

Respectfully Submitted

Mary Birch

Originally Signed by

Mary Birch, Director of Council & Community Services/Clerk

Concurred With,

Robert Maisonville

Originally Signed by

Robert Maisonville, Chief Administrative Officer

Appendix No.	Title of Appendix
Appendix A	Essex County Council-Staff Relations Policy – #2019-001 Draft Feb 2019
Appendix B	Essex County Council Code of Conduct – Revised Feb 20 2019