



Administrative Report

Office of the Director, Council & Community Services/Clerk

To: Warden McNamara and Members of Essex County Council

From: Mary Birch, B.A., CMO
Director, Council & Community Services/Clerk

Date: Wednesday, March 16, 2022

Subject: Policy and Procedure Governance Framework

Report #: 2022-0316-CCS-R05-MB

Purpose

The purpose of this report is to present a draft Policy and Procedure Governance Framework (2022-02) for the County of Essex, and to seek the approval of Essex County Council for the proposed policy.

Background

The County of Essex (the "Corporation") has a wide variety of governance tools, which include policies and procedures documents. A review of existing policies and procedures has identified that many are dated and need revising. Additionally, a significant number of new employees have joined the Corporation within the past few years and it has been identified that it would be beneficial to have an overarching guidance document to assist staff in distinguishing between types of policies which require Council approval and types of policies which require the approval of the CAO. Further, this Policy and Procedure Governance Framework establishes guidance for the development and administration of Standard Operating Procedures and ongoing maintenance of policies and procedures to ensure they are kept current.

Discussion

This draft policy establishes a distinction between Corporate Policies and Administrative Policies, based on the roles of Council and Administration as defined in The Municipal Act, 2001 (the "Act"). Sections 224 and 227 of the Act dictate the broad parameters of the roles of Council and Administration with respect to approval of policies. The applicable sections are referenced within draft policy 2022-02.

While Section 224 of the Act mandates at subsection (b) that it is the duty of Council to "develop and evaluate the policies...of the municipality", subsection (d) goes on to make a differentiation, noting that there will be "administrative policies" and "controllership policies". Subsection (d) does not require that Council approve administrative or controllership policies, only to "ensure" that they are in fact in place.

Meanwhile, Section 227 imposes certain obligations on Administration, including the establishment of "administrative practices and procedures". Subsection (c) contains a catch all provision in that it assigns administration the duty to carry out all "other duties assigned by the municipality". This could include the approval of policies, if it has historically been the role of Council to approve policies

The proposed Policy and Procedure Governance Framework sets out to define and clarify the types of policies requiring Council approval, versus those policies and procedures of an administrative nature, whereby approval can be delegated to County Administration.

The intent of the proposed policy is to provide an overarching guidance document for developing, classifying and categorizing all policy and procedure documents for the County, and further, to ensure that County Council continues to fulfill the requirements of the Municipal Act, while maintaining a balance of efficient administration of County operations. This policy also provides guidance in the development, review and approval of all policies and procedures of the Corporation.

The highlights of the Policy and Procedure Governance Framework are as follows:

Definitions

Corporate Policy: Corporate Policies establish a strategic direction consistent with resolutions or decisions made by Council and/or principles impacting employees, board members, elected officials or members of the public as it relates to County operations. Corporate Policies steer the administrative process on matters of public interest or

County function and are consistent with Federal and Provincial Legislation. Corporate Policies are researched and prepared by administration and require Council approval and review.

Administrative Policy: Administrative policies establish the principles and protocols for staff to execute operations with consistent standards and established conventions, and do not include the items enumerated in Section 270 of the *Municipal Act, 2001*, as amended. Administrative Policies address issues that may affect one or more departments and are drafted and reviewed by the Senior Leadership Team and approved by the Chief Administrative Officer. Administrative Policies do not require Council approval.

Standard Operating Procedure: SOP's establish the criteria and steps required for County operations and to accomplish tasks, job or technical/mechanical functions. SOP's provide the process instructions and may outline responsibilities for task success. They may also contain timelines, flow charts, links, images, list specific documentation and approvals required. SOP's are drafted by departmental subject matter experts and approved by the Senior Leadership Team, if they apply to the entire Corporation or multiple Departments. Departmental SOP's require the approval of the applicable Department Head.

Implementation Process and Review

An 'Office of Responsibility' will be identified for each policy. That Office will typically be the Department Head who will have the obligation for regularly reviewing policies, in accordance with assigned revision dates. They will be responsible for proposing amendments as may be required from time to time, for such things as changes in legislation. Further, they will assess any areas of overlap, contradiction or integration with other existing or draft policy or procedure documents, and conduct consultation with appropriate parties, before presenting revisions or new policies and procedures for approval.

The 'Approval Authority', as set out in this policy is determined by the categorization and classification of the policy. The approval authority for Corporate Policies is County Council. This includes all policies which relate to, impact or regulate members of Council or procedures of Council meetings/events and those specific policies required under Section 270 of the Municipal Act.

Administrative Policies are developed by the Senior Leadership Team, and the Approval Authority is the Chief Administrative Officer. Standard Operating Procedures are developed by Administration, reviewed by the Senior Leadership Team and the appropriate Department Head.

To ensure a consistent process for the development, distribution, storage, and review of policy documents, the Coordinator of Communications and Organizational Development has been assigned as the custodian of the Corporate Policy and Procedure Manual. They will also monitor the review cycle of these policy and procedure documents to ensure proper and timely reviews and revisions.

A review cycle for all policies and procedures is proposed as a minimum of once every four years, so that during each term of Council, all policies will have been reviewed.

Administration, with the approval of the CAO, may make minor changes to these documents, without seeking Council authorization. Minor changes can be defined as follows: changes to grammar, punctuation, name changes, formatting or template changes and minor errors.

Next Steps

Administration will continue to inventory all policy documents and format them to conform to the new accessible policy templates, as outlined in an appendix to the Policy and Procedure Governance Framework. During this process, Administration will identify areas where a more detailed review of existing policies and procedures are required or whether gaps in the current inventory exist.

Having current, accessible and centralized policies and procedures will assist to standardize the operations of the Corporation and will further assist in harmonizing and retaining institutional knowledge for both Administration and Council now and into the future.

Financial Implications

There are no financial implications as a result of this report.

Consultations

The development of the Policy and Procedure Governance Framework included consultation with the County Solicitor and the Senior Leadership Team.

Recommendation

That Essex County Council approve report 2022-0316-CCS-R05-MB and adopt Policy 2022-02 Policy and Procedure Governance Framework as presented.

Approvals

Respectfully Submitted,

Mary Birch

Mary Birch, Director, Council & Community Services/Clerk

Concurred With,

Mike Galloway

Mike Galloway, MBA, CMO, Chief Administrative Officer

Appendix Number	Title
Appendix A	2022-01 Policy and Procedure Governance Framework