

County of Essex Policy and Procedures Manual

Accountability and Transparency Policy

Policy Number:	2008-002
Policy Type:	Corporate Policy
Approval Authority:	Essex County Council
Office of Responsibility:	Legislative and Community Services
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Replaces Policy:	N/A

1.0 Purpose

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 municipality's activities and services in accordance with the principles as outlined herein. This policy has been developed in accordance with the Act to comply with section 270.

2.0 Definition(s):

- Accountability – The principle that the municipality will be responsible to its stakeholders for decisions made and policies implemented, as well as its actions or inactions.
- Transparency – The principle that the municipality actively encourages and fosters stakeholder participation and openness in its decision making processes. Additionally, transparency means that the municipality's decision making process is open and clear to the public.

3.0 Policy Statement

The Council of the County of Essex acknowledges that it is responsible to provide good government for its stakeholders in an accountable and transparent manner by:

- a) Encouraging public access and participation to ensure that decision making is
- b) responsive to the needs of its constituents and receptive to their opinions;
- c) Delivering high quality services to our citizens; and promoting the efficient use of public resources.

Accountability, transparency and openness are standards of good government that enhance public trust. They are achieved through the municipality adopting measure ensuring, to the best of its ability, that all activities and services are undertaken utilizing a process that is open and accessible to its stakeholders. In addition, wherever possible, the municipality will engage its stakeholders throughout its decision making process which will be open, visible and transparent to the public.

4.0 Policy Requirements

The principles of accountability and transparency shall apply equally to the political process and decision making and to the administrative management of the County of Essex.

4.1 Legislated Requirements

The elected officials of the County of Essex are governed by accountability and transparency mechanisms contained within provincial legislation including but not limited to:

- Municipal Act, 2001, as amended
- Municipal Conflict of Interest Act
- Provincial Offences Act
- Municipal Freedom of Information and Protection of Privacy Act
- Public Health Information and Protection of Privacy Act

- Public Sector Salary Disclosure Act
- Ambulance Act
- Long Term Care Homes Act, 2007

4.2 **Financial Accountability, Oversight and Reporting**

The County of Essex will be open, accountable and transparent to its stakeholders in its financial dealings as required under the Act. Some examples of how the municipality provides such accountability and transparency are as follows:

- production of annual and interim financial status reports;
- internal and external audits;
- production of a comprehensive budget document that incorporates previous years' budgets and actuals, as well as five year forecasts for capital requirements;
- Purchasing By-law # 63-2004;
- Investment Policy #04-001;
- Capital Financing and Debt Policy #03-001;
- Commodity Price Hedging Policy #06-001
- Procedures Governing Sale of Land By-law #19-2003
- Accounting for Tangible Capital Asset Policy (Draft)

4.3 **Performance Measurement and Reporting**

The County of Essex has been participating in the Municipal Performance Measurement Program (MPMP) since 2000. Various branches and departments have been generating different types of performance reporting to meet other statutory reporting requirements and for their own internal management purposes. Copies of all past and present County Performance Measurement reports are posted on the [County of Essex Website](#).

4.4 **Open Government**

The following are policies, procedures and practices that ensure the County of Essex is transparent in its operations and that residence are not only

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aware of how decisions are made and carried out, but that they are able to participate as well:

- Council Procedure By-law #61-2007
- Public distribution of Council and Committee Agendas and Minutes including posting all minutes and agendas on website
- Public recruitment of lay members of Advisory Committees, Boards and Task Forces
- Public Notice By-law #39-2002
- Records Retention By-law #27-2005
- Records Destruction Policy #05-001
- Delegations to County Council Policy #95-2005
- Appointment of Meeting Investigator By-law #77-2007
- Council Code of Conduct By-law #16-2008

4.5 Internal Accountability and Ethical Standards

The County of Essex has established policies, procedures and practices that govern internal accountability and ethical standards for the County, including:

- Employee Code of Conduct # 93-001
- Hiring and Employment of Family Members Policy # 04-003
- Student Hiring Policy #06-002
- Information Technology Use Policy #01-001
- Employee Harassment in the Workplace Policy #92-001
- Workplace Violence Policy #99-001
- Drug and Alcohol Abuse Policy #07-001
- Performance Management Planning Policy #95-003

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- Employment/Hiring Policy #91-001
- Health and Safety Policy

5.0 Responsibilities

Essex County Council and staff are responsible for adhering to the parameters of this policy and for ensuring accountability for their actions and transparency of municipal operations.

6.0 Monitoring/Contraventions

The Director of Council Services/ Clerk shall be responsible for receiving complaints and/or concerns related to this policy. Upon receipt of a complaint and/or concern, the Director of Council Services/Clerk shall notify:

- a) In the case of staff, the Department Head responsible for the area and the Director of Human Resources;
- b) In the case of a closed meeting, the Meeting Investigator; and
- c) In the case of Council, the County Warden.

7.0 Related Documents/Legislation

- Municipal Act, 2001, S.O. 2001, c. 25 Section 270 (1) 5.

8.0 Summary of Amendments

Date	Amendment(s)
2008-01-31	Council Report 2007-R016-CS-1130-MB initiated policy. Essex County Council adopted policy by Resolution 27/08.

Appendices

None