

Town of Whitby

Staff Report

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Report Title: Policy Framework Review

Report to: Committee of the Whole

Date of meeting: June 3, 2024

Report Number: CLK 05-24

Department(s) Responsible:

Office of the Town Clerk

Submitted by:

Christopher Harris, Town Clerk

**Acknowledged by M. Gaskell,
Chief Administrative Officer**

For additional information, contact:

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1. Recommendation:

1. That the revised Standards for Town Policies and Procedures Policy appended as Attachment 1 to this report be approved;
2. That the Chief Administrative Officer be granted the delegated authority to approve Accessibility, Corporate Administration, Facility Management and Operational Services, Human Resources, and Technology policies as detailed in the Standards for Town Policies and Procedures Policy;
3. That the policies listed for repeal in Section 4.2 of this report be repealed.

2. Highlights:

- This report proposes to revise the Town's policy framework by amending the policy categories and the authority to approve certain policies.
- The current policy structure includes the following categories: Corporate Administration, Finance, Governance, Human Resources, and Municipal Services. Of these categories, Corporate Administration, Finance, Governance, and Municipal Services are approved by Council and Human Resources policies

are approved through delegated authority to the CAO as provided for in the existing Standards for Town Policies and Procedures Policy CA 080.

- The proposed policy categories will be divided more evenly between Council approval (Finance, Governance and Municipal Service Levels) and CAO approval (Accessibility, Corporate Administration, Facility Management and Operational Services, Human Resources, and Technology).
- Governance, Finance, and Municipal Service Levels policies that establish how the Town is governed or which have a significant financial, service level, or public facing aspect will continue to be approved by Council.
- It is proposed that the CAO will approve Accessibility, Corporate Administration, Facility Management and Operational Services, Human Resources, and Technology policies as these policies are related to how services are administered and how the Town will ensure it meets its legislated obligations.
- Providing for Council and CAO approval based on policy categories will ensure that Town policies are approved by the appropriate authority based on the matter to which they pertain.

3. Background:

The Standards for Town Policies and Procedures Policy was approved in 2013 and has been amended by Council three times since its approval. This Policy establishes a methodology for developing and maintaining all Town Policies, Procedures, and Standard Operating Procedures. These types of documents are defined as follows:

- Policy contains general statements of the Town's intentions or objectives in various matters under its control, for the purpose of providing consistent and fair practices for present and future decisions.
- Procedure provides general instruction to all Town employees on an administrative practice. A Town Procedure may also be linked to a Town Policy for the purpose of providing further clarification and specific details of administrative practices based on intentions or objectives set forth in a Town Policy. Procedures are approved by the Chief Administrative Officer.
- Standard Operating Procedure (SOP) contains detailed instructions pertaining to a certain department or business unit and states clearly and precisely what must be done, who is to do it, how it is to be done, and when it is to be done (job and task specific). SOPs are approved by the Department Head.

Policies, procedures, and SOPs are developed and maintained to contribute to the achievement of the Town's strategic goals and priorities and to provide transparency, clarity, and consistency in decision making in relation to the administration and operations of the Town. All staff contribute to the development of policies and their associated procedures, and the Office of the Town Clerk assumes responsibility for overseeing the policy review process, maintaining a master repository, and ensuring that external-facing policies are readily accessible to the public.

The authority to approve new policies is currently divided between Council approval and CAO approval, with Council approval comprising of approximately 70% of all policies and the CAO under delegated authority approving the remaining 30% of policies, those

being HR related. As noted above, the CAO approves all procedures and standard operating procedures are approved at the Department Head level.

The current policy framework as described in the Standards for Town Policies and Procedures Policy CA 080 consists of five policy categories as defined in Table 1 below:

Table 1: Current Policy Framework Categories

Category	Authority to Approve	Description
Corporate Administration (CA)	Council	Includes policies related to the administration of the Corporation, including but not limited to those related to accessibility, handling of complaints, and communications.
Governance (G)	Council	Includes policies related to the operation or conduct of Council, including but not limited to those related to Council expenses, accountability, and elections.
Finance (F)	Council	Includes policies relating to the financial control of the Town, including but not limited to those related to budget approval, management of municipal funds, insurance, purchasing, and audits.
Municipal Services (MS)	Council	Includes policies related to the provisions of municipal services and programs, including but not limited to those related service levels or operational matters.
Human Resources (HR)	CAO	Includes policies related to the management or well-being of employees, including but not limited to those related to health and safety, conduct, labour relations, pay, recruitment and benefits.

4. Discussion:**4.1 Proposed Policy Framework**

Expanding on the existing delegated authority to approve HR policies, it is recommended that the CAO be granted the delegated authority to approve policies in alignment with the attached revised Standards for Town Policies and Procedures (**Attachment 1**) and as per Table 2 below. This recommendation will ensure that policies are approved by the appropriate authority based on whether they are administrative or operational in nature, in which case the CAO should approve, or if they relate to Council itself or have a significant financial, service level, or public facing aspect, in which case Council should approve as the Town's board of directors. Providing for the revised approval authority will ensure that the policy approval process is streamlined and that policies, especially those related to the administration and internal processes of the Town, can be updated regularly and on a timely basis as required.

Table 2: Future Policy Framework Categories

Category	Authority to Approve	Description
Finance (F)	Council	Policies that pertain to and establish the controllership and financial management of the municipality and its local boards.
Governance (G)	Council	Policies that establish the accountability, transparency, and governance structure of the municipality and its local boards. They may also provide for delegated authority from Council or be policies that impact Council Members directly.
Municipal Service Levels (MSL)	Council	Policies that have a direct and significant public interest, will affect a large number of residents, and establish service levels for public facing processes.

Accessibility (A)	CAO	Policies that relate to the establishment of accessibility standards and processes, including municipal accessibility policies that are required by legislation.
Corporate Administration (CA)	CAO	Policies that primarily relate to administrative processes, including how the municipality intends to comply and follow procedures to meet its legislated obligations.
Facility Management and Operational Services (OPS)	CAO	Policies that relate to the operations, management, usage, and allocation of Town services, assets, and facilities.
Human Resources (HR)	CAO	Policies that relate to Human Resources activities and processes that are internally facing and include but are not limited to employment, payment, benefits, hiring, health & safety, equity, and human rights.
Technology (T)	CAO	Policies related to the internal usage, maintenance, management, and security of hardware, software, and infrastructure technology assets.

A listing of how existing policies will align with the revised policy categories above is provided in **Attachment 3** for those that will remain with Council and **Attachment 4** for those that will be delegated to the CAO. There are currently 124 policies that Council has approved and 48 HR policies approved by the CAO. Under the revised framework, an additional 35 policies will be classified in categories that will be under CAO's delegated authority, resulting in a roughly 50/50 split under the proposed framework of policies approved by Council and the CAO.

Prior to the CAO's approval of policies deemed to be within the categories of Accessibility, Corporate Administration, Facility Management and Operational Services, Human Resources, and Technology, there will continue to be an internal consultation process involving input from the Senior Leadership Team and the Policy Review

Committee as detailed in “Section 4 - Policy Requirements” of the revised Standards for Town Policies and Procedures Policy. For policies that require Council approval, there is a workback schedule of approximately 6 weeks to allow time for internal review, staff report approval, placement on an upcoming agenda, and Council approval. Time for research and drafting the policy is often in addition to the workback schedule.

Delegating authority to the CAO for select policy categories will facilitate timely updates to Town policies by expediting approval timelines. It will also reduce Staff workload by reducing the number of Staff Reports, while ensuring that Council remains aware of policy approvals by the CAO by having the Clerk publish notice of the new or revised policies approved under delegated authority on the weekly Council Information Index. Should a Member of Council have concern or wish to discuss the revised policy further, they could engage Staff in a discussion and/or request that the policy be lifted from the Index and placed on an upcoming Committee of the Whole agenda.

4.2 Policies to be Repealed

After a thorough review, the following Council approved policies are recommended to be repealed based on the reasoning noted below:

- CA 090 Use of Town Vehicles Policy – Policy is redundant as it is currently covered by Human Resources Policy 400-080 Use of Town Vehicles.
- CA 200 Procedures for Reduced Idling of All Town of Whitby Vehicles and Equipment Policy – Policy is covered by the Town’s Anti-Idling By-law #6489-11
- CA 230 Use of Council Chambers – the booking of Council Chambers is currently managed by the Office of the Town Clerk and the policy to support is not required.
- F 110 Claims Handling Policy – claims submissions are covered by an existing Standard Operating Procedure in the Office of the Town Clerk and information regarding claims can be found on whitby.ca for residents.
- MS 160 Breastfeeding in Public – this right is covered by the Human Rights Code and legislation.
- MS 270 Recognition of Achievement of Sport and Cultural Participants – Policy processes are covered by an existing Standard Operating Procedure in the Office of the Town Clerk.
- MS 280 Whitby Seniors Services Transportation Service Policy – Program detailed in the policy no longer exists.
- MS 290 Heritage Day Event Participation – Event detailed in the policy no longer exists.

5. Financial Considerations:

The proposed reorganization of the policy framework will not result in financial impacts. Policies related to the finances/financial controls of the Town will continue to be subject to Council approval. Additionally, all policies, whether approved by Council or the CAO, will be governed by approved budgets, policies and procedures related to budget/financial controls and procurement.

6. Communication and Public Engagement:

All policies approved by Council and the CAO, save and except for those related to Human Resources and Technology, will be made available online in an accessible format. The full Policy Manual is currently available [here](#) on the Town's website.

7. Input from Departments/Sources:

The Office of the Town Clerk engaged with the Senior Leadership Team, whose members have expressed their support for approval of the new policy framework.

8. Strategic Priorities:

The proposal to introduce a revised policy framework is aligned with Pillar 4: Whitby's Government – Accountable and Responsive, as outlined in Whitby's Community Strategic Plan, as it ensures adherence to the principles of accountable and responsive governance.

9. Attachments:

Attachment 1 – Revised Standards for Town Policies and Procedures Policy

Attachment 2 – Current Standards for Town Policies and Procedures Policy CA 080

Attachment 3 – Listing of Policies – Council Approval

Attachment 4 – Listing of Policies – CAO Approval