



Town of Whitby Policy

Policy Title:	Accountability and Transparency
Policy Number:	G 010
Reference:	Municipal Act, Council Resolution #161-10 and #310-17
Date Approved:	May 10, 2010
Date Revised:	June 5, 2017 <u>May 26, 2025</u>
Approval:	Council
Point of Contact:	Town Clerk

Policy Statement

Accountability and Transparency are standards of good government that enhance public trust. They are achieved through the municipality adopting measures which ensure that all activities and services are undertaken through a process that is Accountable and Transparent to its Stakeholders.

Purpose

The purpose of this policy is to comply with section 270 of the Municipal Act, 2001 ~~(the Act)~~ which requires the Town of Whitby to adopt and maintain a policy with respect to the manner in which the municipality will 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.

Scope

The Accountability and Transparency Policy applies generally to the political decision making and to the administrative management of the Town. In addition to this Policy, various pieces of legislation impose their own frameworks of Accountability and Transparency on local governments, and the principles established herein are intended to compliment any legislative requirements.

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1 Definitions

- 1.1 Accountability** means the municipality being responsible to its Stakeholders for decisions made and policies implemented, as well as its actions or inactions.
- 1.2 Stakeholder** means any individual person, organization or entity that has an interest or stake in the Town's business, actions, or inactions.
- 1.3 Transparency** means the municipality actively encouraging and fostering Stakeholder participation and openness in its decision making and service delivery processes.

2 Responsibilities

- 2.1 Council to:**
- Ensure Accountability and Transparency in their actions and decision making.
- 2.2 CAO and Senior LeadershipManagement Team to:**
- Ensure that the actions of the administration and all recommendations and advice by Staff to Council are developed in an Accountable and Transparent manner.
- 2.3 All Staff to:**
- Be aware of and follow the Accountability and Transparency framework as set out in this policy.

3 Guiding Principles

The following principles of Accountability and Transparency shall apply equally to the political decision making and to the administrative management of the Town.

- 3.1** The Council of the Town of Whitby acknowledges that it is responsible to provide good government for its Stakeholders in an Accountable and Transparent manner by:
- Transacting Town business openly and fairly;
 - Encouraging public access and participation to ensure that decision making is responsive to the needs of constituents;
 - Ensuring efficient and effective financial management;
 - Maintaining an open, responsive meeting process that ensures citizens have access to and awareness of the Council/Committee business being discussed;
 - Delivering high quality services to our citizens; and,
 - Promoting the efficient use of public resources.

4 Accountability and Transparency Framework

The following sections highlight areas where the Town has developed policies and practices to ensure its operations are accountable and transparent.

4.1 Conduct and Behaviour

The Town is committed to ensuring reasonable and appropriate conduct and behaviour ~~to be expected~~ from the public accessing municipal facilities or services, and from its employees, Members of Council and ~~its members of~~ local boards and committees. In establishing what constitutes appropriate conduct and behaviour, the Town has adopted the following policies and by-laws:

- a) Council Code of Conduct By-law
- b) Boards and Advisory Committees Code of Conduct By-law
- c) Public Code of Conduct Policy ~~CA 160~~MS 470
- ~~d)~~ Public Complaints Policy CA 190G 160
- ~~d)e)~~ Council Staff Relations Policy G 080
- ~~e)f)~~ Employee Code of Conduct Policy HR 070
- ~~f)~~ Dress Code Procedure HR 070-004

4.2 Independent Oversight

Council has appointed the following independent officers to provide oversight based on the policies noted:

- a) **Municipal Ombudsman** – ~~A municipal ombudsman has been appointed in accordance with By-law # 7212-16 and In accordance with the Ontario Ombudsman Act and the Municipal Act, 2001, the Town may appoint its own Ombudsman or in the absence of exercising this right, default to oversight by the Ontario Ombudsman. Through Council Resolution #21-23, Council approved the utilization of the Ontario Ombudsman's Office for ombudsman oversight. The Office of the Ontario Ombudsman, according to~~ Section 223.13 of the Municipal Act, will ~~to~~ investigate in an independent manner any decision or recommendation made or act done or omitted in the course of the administration of the municipality, its local boards and such municipally-controlled corporations as the municipality may specify and affecting any person or body of persons in his, her or its personal capacity. Prior to a Stakeholder contacting the Ombudsman to request a review of their concerns, the Town encourages them to avail themselves of the comprehensive internal review process for

~~complaints in accordance with the Public Complaint Policy G 160. The Ombudsman fulfills their duties in accordance with the following:~~

- ~~• Public Complaint Policy CA 190~~
- ~~• Customer Service Standard Policy CA 210~~
- ~~• Terms of Reference adopted by Council Resolution # 573-16~~
- ~~• Region of Durham RFP 1014-2016~~

b) **Integrity Commissioner** – An integrity commissioner has been appointed in accordance with By-law # ~~7916-227234-17~~ and Section 223.3 of the Municipal Act to perform in an independent manner the functions assigned by the municipality with respect to:

- the application of the code of conduct for Members of Council and the code of conduct for members of local boards; and,
- the application of any procedures, rules and policies of the municipality and local boards governing the ethical behaviour of members of Council and of local boards.

The Integrity Commissioner performs their duties in accordance with the:

- Council Code of Conduct By-law;
- ~~• Boards and Advisory Committees Code of Conduct By-law; and,~~
- ~~• Any applicable agreement or Terms of Reference for integrity commissioner services.~~
- ~~• Employee Code of Conduct Policy HR 070~~
- ~~• Terms of Reference adopted by Council Resolution # 24-16~~
- ~~• Region of Durham RFP 1042A-20~~

~~c) Closed Meeting Investigator~~ – A closed meeting investigator has been appointed in accordance with By-law # 6040-08 and Section 239.2 of the Municipal Act to investigate in an independent manner, on a complaint made to him or her by any person, whether the municipality or a local board has complied with ~~s~~Section 239 or a procedure by-law under ~~s~~Subsection 238 (2) in respect of a meeting or part of a meeting that was closed to the public, and to report on the investigation. ~~The Closed Meeting Investigator performs their duties in accordance with the:~~

~~d) Closed Meeting Policy G 040
Procedure By-law~~

4.3 Policy Manual~~Financial Matters~~

The Town maintains a comprehensive Policy Manual that includes all policies required by statute, in addition to other policies and procedures that the organization has identified as beneficial. The existence of the Policy Manual

is a critical aspect of ensuring that Council fulfills its role as specified in Section 224 of the Municipal Act:

- to represent the public and to consider the well-being and interests of the municipality;
- to develop and evaluate the policies and programs of the municipality;
- to determine which services the municipality provides;
- to ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of council;
- to ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality;
- to maintain the financial integrity of the municipality; and,
- to carry out the duties of council under the Municipal Act or any other Act.

In accordance with the Standards for Town Policies and Procedures Policy G 180, the Policy Manual supports the role of Council and the municipality's goals and priorities by providing for controllership and financial management, transparency, clarity, fairness, and consistency in decision making related to the administration and operations at the Town of Whitby.

~~The Town will be open, accountable and transparent to its Stakeholders in its financial dealings as required under the Municipal Act. It is a priority for Council and Staff to engage in wise management of the Town's financial resources. The following are examples of policies, procedures and practices that the Town has in place to ensure that financial matters are handled in an accountable and transparent manner:~~

- ~~a) Capital Budget Development (F 150) and Monitoring (F 170) Policies~~
- ~~b) Consolidated Fees and Charges by law (ease of access to the costs associated with services provided by the Town in a single document).~~
- ~~c) Internal and External Auditing~~
- ~~d) Investment Policy F 100~~
- ~~e) Operating Budget Development (F 140) and Monitoring (F 180) Policies~~
- ~~f) Purchasing Policy F 080~~
- ~~g) Corporate Visa Credit Card Expenses Procedure F 080-001~~
- ~~h) Council Expense Policy G 050~~

4.4 Council and Standing Committee Meetings

The Town has taken steps to ensure that it is accountable and transparent to its Stakeholders through implementing processes outlining how, when and under what rules meetings will take place and making access to those meetings convenient to Stakeholders. The following measures have been undertaken or adopted to make meetings publicly accessible:

- a) Annual publication of regular Council and Standing Committee meeting times and dates.
- b) Adoption of a Procedure By-law that clearly states how Council and Committee business shall be transacted at meetings.
- c) Early release of electronic and accessible Council and Standing Committee Agendas and Minutes with the option to receive electronic notification when published for viewing.
- d) The adoption of policies and procedures to support public notice requirements, the creation and management of interested party lists, and to support the role of Council generally.~~Public Notice Policy CA 150~~
- ~~e) Interested Party Lists Procedure CA 150-001 and electronic sign-in stations for interested parties~~
- ~~f)e) Closed Meeting Policy G 040~~
- ~~g)f) Livestream viewing of all Council and Standing Committee meetings held in Council Chambers.~~

This Policy is hereby approved by Council Resolution #310-17 on this 5th day of June, 2017.