

General procedural guidance for Department-led Working Groups

Procedural guidance for Department-led Working Groups includes the following recommendations from the Office of the City Clerk (updated June 2023):

Establishment

1. A Department-led Working Group shall be established by the General Manager and may include members of the public, City staff, and/or Members of Council in an *ex officio*/Council liaison capacity.
2. A Department-led Working Group must not form a quorum of the Standing Committee with jurisdiction regarding the subject matter for which the Working Group was formed.
3. The number of public members and staff on a Department-led Working Group must be greater than the number of Members of Council on the Working Group to mitigate the risk of any issues arising with respect to statutory open meeting requirements.
4. A Department-led Working Group shall be established with consideration given to relevant City policies and diverse representation, including matters such as equity, accessibility, bilingualism and geographic communities. Representatives may include community organizations and/or individuals.
5. A General Manager who creates a Department-led Working Group shall issue a memorandum to advise the Standing Committee(s) with jurisdiction regarding the relevant subject matter of the Working Group's establishment. The memorandum shall provide information regarding the body's mandate and membership, and shall also advise how the mandate of the Department-led Working Group relates to Council's strategic priorities.
6. A General Manager or designate may expand and narrow the composition of an established Department-led Working Group based on an issue-by-issue basis.
7. Any Department-led Working Group established by a General Manager shall incorporate the term "Working Group" in the body's name to provide clarity regarding the type of advisory body.

Roles and responsibilities

8. A Department-led Working Group may receive information from City staff and provide advice to City staff in accordance with the mandate established by the General Manager.
9. A Department-led Working Group shall ensure compliance with any relevant legislation.

10. A Department-led Working Group should recognize and respect Council's statutory decision-making role, along with staff's statutory role regarding matters such as conducting research and providing advice to Council.

Public information

11. General information about the Department-led Working Group shall be posted to ottawa.ca, including but not limited to the Working Group's mandate, membership, a staff contact, the memorandum from the General Manager to the Standing Committee(s) with respect to the Working Group's establishment, and link(s) to relevant reports to Committee/Council as described in sections 18 and 19 of this guidance document.

Meetings

12. The General Manager or designate shall establish the meeting schedule for the Department-led Working Group.
13. Open meeting provisions of the *Municipal Act, 2001* do not apply to Department-led Working Groups. However, the General Manager or designate, in consultation with the City Clerk, may decide if they wish to hold all or part of a meeting in a manner that is open to the public.
14. Meeting agendas and minutes, if kept, are to be provided to all participants and identified on the relevant department's Routine Disclosure and Active Dissemination Plan.
15. Meetings may be virtual, in person, or hybrid (both virtual and in person), in a manner that allows maximum participation from members, and accommodation shall be provided to ensure the equitable participation of individuals with disabilities in accordance with relevant legislation and City of Ottawa policies, including members of the public.
16. The General Manager or designate may invite the Mayor's Office, Standing Committee Chairs/Vice-Chairs, other Members of Council and/or subject-matter experts to attend meetings, in addition to any Member(s) of Council included in the Working Group's membership in an *ex officio*/Council liaison capacity.

Records

17. Records of the Department-led Working Group shall be kept in accordance with the City of Ottawa's *Records Retention and Disposition By-law* and Records Management Policy.

Reporting

18. Staff shall ensure that reports to Committee and Council regarding the subject matter of the Department-led Working Group include information regarding

relevant activities of the Working Group and how its advice informed any recommendations in the report.

19. Links to any Committee/Council report described in Section 18 shall be provided on ottawa.ca as part of the public information about the Department-led Working Group.

Accountability and transparency

20. Members of a Department-led Working Group may be subject to an existing code of conduct by virtue of their position (i.e., Employee Code of Conduct Code, Code of Conduct for Members of Council).
21. The oversight role of the City's Auditor General applies to each Department-led Working Group.

Access to information and confidentiality

22. The *Municipal Freedom of Information and Protection of Privacy Act* may apply to all records relating to a Department-led Working Group.
23. Members of Council and/or staff sitting on a Department-led Working Group may acquire confidential information from a variety of different sources in the course of their work with the advisory body, and are expected to manage such confidential information in accordance with the relevant code of conduct. Public members who acquire confidential information shall not disclose such information without written permission from the General Manager.

Review

24. This procedural guidance shall be regularly reviewed through the City's governance review process.