

# 11.1

**Report to / Rapport au:**

**Ottawa Public Library Board  
Conseil d'administration de la Bibliothèque publique d'Ottawa**

**June 11, 2024 / 11 juin 2024**

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**File Number/Numéro du dossier: OPLB-2024-0611-11.1**

**SUBJECT: Ottawa Public Library Board Policy Amendments**

**OBJET: Modifications des politiques du Conseil d'administration de la  
Bibliothèque publique d'Ottawa**

## **REPORT RECOMMENDATIONS**

**That the Ottawa Public Library Board approve the amendments to the following  
policies as further described in this report:**

- 1. Policy 002 - Delegation of Authority (Document 1);**
- 2. Policy 008 - Fund Development (Document 2);**
- 3. Policy 013 - Commemorative Naming (Document 3); and,**
- 4. Policy 022 - Sponsorship (Document 4).**

## RECOMMANDATIONS DU RAPPORT

**Que le Conseil de la Bibliothèque publique d'Ottawa approuve les modifications des politiques suivantes, tel que décrit dans le présent rapport :**

- 1. Politique 002 - Délégation de pouvoir (Document 1);**
- 2. Politique 008 - Développement des fonds (Document 2);**
- 3. Politique 013 - Noms commémoratives (Document 3); et**
- 4. Politique 022 - Commandites (Document 4).**

## BACKGROUND

In keeping with the *Public Libraries Act, RSO 1990, c.P.44* (“the PLA”), other relevant statutes, laws, and good governance practices, the Ottawa Public Library (“OPL” or “the Library”) Board (“the Board”) is accountable for the full range of decisions affecting the organization. According to Section 15 of the *PLA*, the Chief Executive Officer (“CEO”) supervises and directs the operations of the public library and its staff and shall have other powers and duties that the Board assigns to them from time to time.

As per Ottawa Public Library (“OPL” or “the Library”) Board policy 001, “Roles and Responsibilities of the Board and Trustees,” the OPL Board (“the Board” or “OPLB”) has adopted a strategic governance model outlined in the OPLB Delegation of Authority Policy (“the DOA”) that focuses on setting objectives and directions for the organization, including approving position statements to clarify the Board’s position on a particular topic and to guide staff in carrying out their administrative duties, as well as approving strategic frameworks.

On December 11, 2018, the Board received the Fundraising Feasibility Study and approved proceeding with the development and implementation of a detailed Fundraising Strategy- (OPLB-2018-1202). Subsequently, at its June 2019 meeting, the OPL Board approved the 2020 – 2023 Strategic Plan for OPL (Report # OPLB-2019-0601), which included a priority to “develop and implement a fundraising plan.” In establishing the fundraising strategy, staff identified that rather than simply revising the Fundraising Policy, there was a need to develop a complete fundraising policy framework to adequately support fundraising efforts.

In March 2021, the first milestone in this process was achieved when the Board approved the OPL Fundraising Policy Framework, including revisions to the DOA Policy, the Donations and Fundraising Policy (later re-named the Fundraising and Donations Policy in November 2022), and the CEO Reporting and Board Monitoring Policy, as well as the development of a new Sponsorship and Advertising Policy (OPLB-2021-0104).

In November 2022, during the end of term governance review process, the OPLB Fundraising and Donations, Commemorative Naming, and Sponsorship and Advertising Policies were reviewed (OPLB-2022-1108-10.3). The Fundraising and Donations Policy was not revised then, but the name was updated. The Commemorative Naming Policy was revised to include a description of the City's public consultation process and an additional criterion regarding alignment with OPL's mission, vision, and values. The Sponsorship and Advertising Policy was amended to further define sponsorship activities, confirm that OPL will not engage in third-party advertising as part of revenue generation, and clarify that OPL will not be engaging in naming rights as part of sponsorship activities. The policy was also renamed the Sponsorship Policy.

Over time, areas of intersection have been identified between policies that mention naming of OPL spaces for various recognition purposes. As was raised during the 2022 governance review process, OPL has previously determined that naming rights will not be offered as part of sponsorship opportunities. At the November 2022 Board meeting, Vice Chair Fisher raised an inquiry regarding naming practices; specifically, she asked where authority rests for naming branches and where this authority is documented. She also inquired whether a new Board policy specific to this requirement was necessary.

The January 25, 2023 response by staff noted that the authority for naming branches rests with the Board, as documented in the DOA Policy. The response further recommended that parameters for naming library facilities be defined and clearly articulated and that the Governance Ad hoc Committee review the OPL Board Commemorative Naming Policy and naming practices, to ensure they align with OPL's priorities. While developing this response, OPL learned that City staff were undertaking an extensive review of the City commemorative naming policies and practices, and Library staff remained in close contact with RCFS colleagues in 2023 and early 2024 in order to consider this work while undertaking OPL policy reviews.

In February 2023, the Board approved the creation of the Ad hoc Committee on Fund Development, with membership including Trustees Slack and Smith, to provide advice regarding the overall fundraising strategy and ongoing support for the “Unlock Potential” campaign and the annual giving campaign (OPLB-2023-0223-10.2). In October 2023, the Board approved the 2023-2028 Strategic Plan which reaffirmed the Board’s commitment to fund development as noted in Item 3.2, “Enhance fund development.”

The OPLB policies related to fund development and sponsorship policies are regularly reviewed in the second year of the term of Board. Noting the partially shared considerations with the Commemorative Naming Policy, these policy reviews were held while OPL liaised with the City regarding upcoming anticipated changes to the City’s Commemoration Policy. With a better sense of the City’s policy review in Q4 2023, staff drafted proposed revisions for review by the Governance and Fund Development Ad hoc Committees in Q1 2024. In Q1 2024, staff conferred with the City about revisions to the City’s Sponsorship Policy (approved by the Finance and Corporate Services Committee at their meeting of March 05, 2024, and by Council on April 3, 2024) to align them to OPL’s policy as appropriate. Subsequent to this, a further possible revision to the DOA Policy was suggested by staff, following discussions with the Finance and Corporate Services Department at the City.

The purpose of this report is thus to provide the Board with proposed amendments to four Board policies: Delegation of Authority (as it relates to sponsorship approvals and other administrative amendments), Fund Development, Commemorative Naming, and Sponsorship, as described in the report.

## **DISCUSSION**

Previously approved versions of each Board policy are available to trustees via the Board cloud storage tool, and to members of the public via the Board agendas on the OPL website. Key proposed revisions to each Board policy are summarized below.

### **Key Amendments to the Delegation of Authority Policy**

- Additional clause in footnote #4 in Item 4 in Table 1 (Item 4 refers to approval for expenditures, for which the CEO has delegated authority up to and including \$500,000. The clause reads " For administrative purposes, the CEO’s authority in

the financial system will be “unlimited”. The CEO is required to secure Board approval for amounts exceeding the delegated authority as indicated in this item.”

- The administrative process within the financial payment system as currently structured requires a designated individual with unlimited approval status to approve transactions. The financial payment system is connected to OPL’s organizational structure, of which the CEO is the highest position in the hierarchy. This results in the potential need for City staff approval for expenditures exceeding the CEO’s authority. This practice does not align with the governance model for public libraries in Ontario, as defined by the *Public Libraries Act* and the *Municipal Act*.
- New item 13 - Approve, amend, extend, and execute sponsorship agreements for up to ten years in which the value of the sponsorship does not exceed delegated authority per year.
  - This timeline is recommended to retain the competitive element of the sponsorship process in a changing market. It also aligns with the timeline adopted by RCFS in recent policy revisions and recommended by the external counsel engaged by OPL.

### **Key Amendments to the Fund Development Policy**

- Adjusting language from "fundraising" to "fund development" in alignment with the Strategic Plan Update approved by the Board in October 2023 (OPLB-2023-1010-10.5);
- Adding key value of intellectual freedom under section discussing ethical conduct, in alignment with the Strategic Plan;
- Revising wording regarding the involvement of the Board Ad hoc Committee in reviewing gift agreements to better align with current practice;
- Adjusting elements of the donor recognition section, including incorporating a mention of the possibility of space naming, to provide clarity and guidance regarding naming of spaces within libraries; and,
- Other general revisions for clarity.

### **Key Amendments to the Commemorative Naming Policy**

- Adding details to provide a more fully-formed policy;
- Defining commemorative naming, including naming of events as well as facilities and programs;

- Clarifying and enshrining current practices for naming facilities or spaces;
- Removing Table 1 and integrating the content into policy wording;
- Removing Appendix A (a copy of the related City Policy) and providing a link to the online version;
- Including additional criteria such as a commitment to literacy and community service; and a link to the local community in which the proposed space is located, or to the theme or content of the proposed program or event, in alignment with the Strategic Plan; and,
- Adding a Policy Review section, aligning the timeline with related OPLB policies.

### **Key Amendments to the Sponsorship Policy**

- Clarifying the definition of sponsorship (including adding that sponsorship and naming rights are "time-limited," and that sponsorship activities are governed by a written agreement);
- Expanding the "Does not include" section, including naming rights, government grants or funds, and sponsorships undertaken by OPL, following guidance from best practices and the expertise of the Fund Development Ad hoc Committee;
- Strengthening information in the "Guiding Principles" section, including reference to intellectual freedom, transparency, sponsorship for initiatives that are targeted to children, positive descriptors, and conflict of interest sections, in alignment with best practices and expertise;
- Adding wording regarding competitive vs non-competitive opportunities for sponsorship, in alignment with the City's recent policy update; and,
- Adding clarification regarding the use of sponsorships for public art, in alignment with the City's recent policy update.

Going forward, the three related Board policies (Fund Development, Commemorative Naming, and Sponsorship) will be reviewed on a regular basis, in the second year of the term of Board. The DOA Policy is reviewed on the same schedule.

### **CONSULTATION**

Internal consultations were undertaken with the OPLB Ad hoc Committee on Fund Development and the OPLB Ad hoc Committee on Governance. The City of Ottawa Legal Services and Recreation, Cultural, and Facilities Services department were also

consulted. Best practices from other Ontario public libraries were also reviewed, including Burlington, Hamilton, London, and Toronto.

### **ACCESSIBILITY IMPACTS**

Ottawa Public Library supports and considers the *Accessibility for Ontarians with Disabilities Act, (2005)* in its operations. There are no accessibility impacts associated with this report.

### **BOARD PRIORITIES**

This report ensures compliance with OPL's 2023-2028 strategic priority to enhance fund development, and the following OPL Board Policies: Delegation of Authority, CEO Reporting and Board Monitoring.

### **BUSINESS ANALYSIS IMPLICATIONS**

There are no business analysis considerations associated with this report.

### **FINANCIAL IMPLICATIONS**

There are no financial implications associated with this report.

### **LEGAL IMPLICATIONS**

A robust fund development, donations, sponsorship, and commemorative naming program helps OPL reduce the risk of legal challenges and ensures OPL can administer effective and legally sound policies and practices.

### **INDIGENOUS AND GENDER EQUITY IMPLICATIONS**

With respect to commemorative naming opportunities, OPL will continue to work with the City and individuals and groups who have been traditionally excluded, including Indigenous groups and women's groups, to ensure their experiences are represented in the Library.

### **RISK MANAGEMENT IMPLICATIONS**

Revising OPL Board policies and associated administrative documents ensures that OPL employees and trustees are adequately prepared to perform their duties.

Consistent practices clarify OPL practices and assist in reducing risks to the organization.

### **TECHNOLOGY IMPLICATIONS**

There are no immediate technology implications associated with this report.

### **SUPPORTING DOCUMENTATION**

Document 1 – OPLB - 002 - Delegation of Authority Policy

Document 2 – OPLB - 008 - Fund Development Policy

Document 3 – OPLB - 013 - Commemorative Naming Policy

Document 4 – OPLB - 022 - Sponsorship Policy

### **DISPOSITION**

Upon approval, staff will make the revised policies available to trustees and ensure implementation of any necessary actions resulting from the adoption of the policies, such as revisions to administrative documents and practices.