

## **Recommended amendments to the Accountability and Transparency Policy**

Proposed amendments are noted below using ~~striketrough~~ for deletions and **bold, underlined** for additions.

## **Accountability and Transparency Policy**

Approved By: City Council

Section: City Clerk

Approval Date: November 28, 2007

Effective Date: November 28, 2007

Revision Dates: December 3, 2014; December 7, 2022; **January XX, 2025**

### **Policy statement**

The City of Ottawa promotes accountable and transparent municipal governance guided by the following principles:

1. Decision-making is open and transparent.
2. Municipal operations are conducted in an ethical and accountable manner.
3. Financial resources and physical infrastructure are managed in an efficient and effective manner.
4. Municipal information is accessible so that it is consistent with legislative requirements.
5. Inquiries, concerns and complaints are responded to in a timely manner.
6. Financial oversight, service standards and performance reporting and all other accountability documents are made available and accessible, in language that the public can understand, to increase the opportunity for public scrutiny and involvement in municipal operations.
7. Every new delegation of power or authority will have a corresponding accountability mechanism.

### **Purpose**

This policy provides guidance on how the City of Ottawa ensures municipal matters and operations are approached in an accountable and transparent manner, with emphasis

on openness, ethics, service excellence, performance outcomes and fiscal responsibility.

Subsection 270(1)(5) of the *Municipal Act, 2001* provides that a municipality shall adopt and maintain policies 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”.

## **Application**

This policy applies to all City of Ottawa operations and its employees, including Members of Council.

## **Policy requirements**

The City of Ottawa’s commitment to accountability and transparency ensures sound governance and sustainability by way of various policies, procedures and practices that have been divided into the following six categories:

### **1. Legislated requirements**

The City of Ottawa is accountable and transparent to the public by fulfilling various legislated responsibilities and disclosure of information. The following are some of the provincial statutes that govern how the City conducts its business in a public, accountable and transparent manner:

1. *City of Ottawa Act, 1999*
2. *Municipal Act, 2001*
3. *Municipal Conflict of Interest Act*
4. *Municipal Elections Act, 1996*
5. *Provincial Offences Act*
6. *Municipal Freedom of Information and Protection of Privacy Act*
7. *Personal Health Information Protection Act, 2004*
8. *Personal Information Protection and Electronic Documents Act*
9. *Public Sector Salary Disclosure Act, 1996*
10. *Bill 168, Occupational Health and Safety Amendment Act (Violence and Harassment in the Workplace) 2009*
11. *Accessibility for Ontarians with Disabilities Act, 2005*

In addition to the above, there are various provincial and federal statutes that govern the operations of the City and its services.

## **2. Financial accountability, oversight and reporting**

The City of Ottawa is accountable and transparent to the public by identifying the source of City funds and how those funds are used to deliver services. The following policies, procedures and practices demonstrate the City of Ottawa's best-practice financial accountability, and oversight and reporting mechanisms, including but not limited to:

1. External Auditor, annual financial statements and disclosure of the City's credit ratings
2. Auditor General's Office, its Annual Plan, audit plans and reporting, and the Fraud and Waste Policy
3. Annual Year End Disposition Reports
4. Long Range Financial Plans, including Housing
5. Operating and Capital Budget Status Reports
6. Delegation of Authority By-law and reporting
7. Procurement By-law and reporting
8. Budget Development, Monitoring and Reporting Policy and financial-related policies and procedures
9. Comprehensive Asset Management Policy, Asset Management Plans and reporting
10. Real Property policies and procedures
11. ~~Corporate~~ **Donations to the City for Community Benefit Policy**, Sponsorship **Policy** and Advertising Policy

## **3. Performance measurement and reporting**

The City of Ottawa is accountable to the public by using various results-orientated tools to measure progress on performance and the achievement of corporate service standards and goals. The City of Ottawa is committed to producing performance information that measures how the City is doing in all areas over which it has responsibility, from financial reporting to human resource management to service delivery, including but not limited to:

1. City Strategic Plan and Term of Council Priorities
2. Service-specific reporting at the departmental or service-area level

## **4. Open government**

The City of Ottawa is accountable and transparent to the public by providing governance in an open manner through communication, consultation, and collaboration. The following are some of the policies, procedures and practices that ensure the City is transparent in its operations and residents are aware of how decisions are made and carried out:

1. Council Procedure By-law ~~and Advisory Committee Procedure By-law~~
2. Public access to Council and Committee agenda meeting documentation, and attendance at open meetings
3. Appointment Policy (**Council-appointed public members of committees, boards, and other external authorities** ~~Recruitment and Selection of members of Advisory Committees, Boards and Task Forces, and External Boards, Commissions and Authorities~~)
4. Public Notice By-law
5. Delegation of Powers Policy and Delegation of Authority By-law
6. Bilingualism Policy
7. Public Engagement Strategy, including Engage Ottawa and online engagement tools
8. Accessibility Policy and Accessible Formats and Communication Supports Procedure
9. Open meeting procedures including a process of rising and reporting following closed sessions
10. Routine Disclosure and Active Dissemination Policy and departmental Plans
11. **Privacy Policy and** Personal Information Banks
12. Adherence to the principles of Open Government, ~~and~~ the Open Data Policy, **and the Data Governance Policy and procedures**, including making data available through Open Ottawa
13. Proactive disclosure of executed contracts with a value of \$100,000 or more that were not a result of public procurement, ~~as well as~~ **or** contracts resulting from a public procurement exercise that are of significant public interest
14. Public disclosure of Access to Information Requests under the *Municipal Freedom of Information and Protection of Privacy Act*
15. **Proactive** ~~Annual proactive~~ disclosure of events hosted by the Office of Protocol and Intergovernmental Affairs, as well as gifts presented on behalf of the City through the Office of Protocol.

## 5. Internal accountability and ethical standards

The City of Ottawa has established by-laws, policies, procedures and practices that govern internal accountability and ethical standards for the City of Ottawa, including but not limited to:

1. Employee Code of Conduct
2. Alcohol and Drugs in the Workplace Policy
3. Discipline Policy
4. Employment of Family Members Policy
5. Responsible Computing Policy
6. Leave of Absence, Accumulated Sick Leave, Overtime and work-related policies
7. Election-Related Resources Policy and Election-Related Blackout Period Procedures
8. Corporate Complaints Handling Policy
9. **Accessible Feedback and Resident Inquiry Procedure**
10. **Public Conduct Policy and Corporate Trespass to Property Procedures**
11. Occupational Health and Safety Policy
12. Workplace Violence and Harassment Policy
13. Records Management Policy and Records Retention and Disposition By-law
14. **Data Governance Policy, Information Security Policy and Information System Security Policy**
15. Ethical Purchasing Policy and Contract Administration Policy
16. Legal Indemnification Policy
17. Personal Use of City Vehicles Policy
18. Statutory Officer Recruitment, Appointment and Contract Administration Policy and Procedures

## **6. City Council's Accountability Framework**

Ottawa City Council has demonstrated its commitment to accountability and transparency through the implementation of various integrity officers and additional policies and practices, including but not limited to:

1. Proactive disclosure of the office expenses of Members of Council
2. Appointment of an Integrity Commissioner to whom Council has also designated the role of Lobbyist Registrar and Meetings Investigator
3. Adoption of a Code of Conduct for Members of Council, Code of Conduct for **Members of Local Boards** ~~Advisory Committee Members~~, and Code of Conduct

for Members of the Built Heritage **Standing** Committee, and associated complaint processes

4. Quarterly disclosure by Members of Council through an online Gifts Registry of all gifts, benefits and hospitality received which individually exceed \$100 from one source in a calendar year (save for some exceptions)
5. Quarterly disclosure by Members of Council through an online Gifts Registry of all tickets received which individually exceed \$30 from one source in a calendar year (save for some exceptions)
6. Online public registry of declarations of interests, under the *Municipal Conflict of Interest Act*, for declarations filed by Members of Council and members of local boards, including investigation protocols for perceived violations
7. Adoption of the Community, Fundraising and Special Events Policy, Council Expense Policy, Advisory Committee Participation Expense Policy, and Council-Staff Relations Policy
8. Enactment of a Lobbyist Registry By-law including a Lobbyist Code of Conduct, and the establishment of a Lobbyist Registry
9. Integrity Commissioner's Annual Report and public release of investigation reports as required.

The City's commitment to conducting its business in an open and transparent manner is an important and progressive initiative. The City will continue to demonstrate its commitment through the implementation of new policies, procedures and practices that may not be referenced in this policy.

## **Responsibilities**

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

## **Monitoring/contraventions**

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

1. In the case of staff, the Department Head, General Manager or Director responsible for the area, and the ~~Director, Human Resources~~ **Chief Human Resources Officer**
2. In the case of a closed meeting, the Meetings Investigator

3. In the case of Council or a Member of Council, the Head of Council or as set out in the applicable Code, by-law or policy

## **Legislative and administrative authorities**

Section 270 of the *Municipal Act, 2001*, as amended, requires that the City adopt and maintain a policy with respect to ensuring accountability and transparency. The Accountability and Transparency Policy identifies the legislation, policies, procedures and practices that the City complies with in order to promote accountability and transparency.

## **Recordkeeping requirements**

**In accordance with** ~~As per~~ the Records Management Policy, Official Business Records generated as a result of the execution of this policy must be declared as such in the appropriate SharePoint site, RMS (Records Management System) or approved business system.

## **Definitions**

Accountability – The principle that the municipality is obligated to demonstrate and take responsibility for its actions, decisions and policies and that it is answerable to the public at large.

Transparency – The principle that the municipality will conduct its business in an accessible, clear and visible manner and that its activities are open to review by the public, fostering trust in government and improving service delivery.

## **Enquiries**

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