Appendix 1 - Ontario Municipal Councillor's Guide 2018 Excerpts

Role of the councillor

As a councillor, you have three main roles to play in your municipality: a representative, a policy-maker, and a steward. These roles may often overlap. You will be called on to consider and make decisions on issues that will sometimes be complex and controversial. Many of those decisions will have long-term consequences for your municipality that extend beyond your four-year term of office, and should be made in the context of your municipality's plans for the long-term health and welfare of your community.

Representative role

The representative role of council is clearly indicated in section 224 of the Act. At first glance, the representative role appears to be fairly simple and straightforward. But what does it involve?

On one hand, you were elected by your constituents to represent their views when dealing with issues that come before council. Your constituents have many views and opinions, and you cannot represent all of them, all of the time.

On the other hand, election to office requires you to have a broader understanding of the issues that impact the municipality as a whole. You will have to consider conflicting interests and make decisions that will not be popular with everyone. Generally, evidence-based decisions are made by taking into account all available information.

Working as a team with the rest of council and staff will contribute to making your time on council a success. Disagreements among council members are common, but it is important to remember that you are working towards a common goal.

There is no single, correct approach to the representative role. On many issues you may find that you fall somewhere between two, sometimes opposing viewpoints. You will quickly develop a caseload of citizen inquiries that will need to be further investigated and, if possible, resolved. You may get these inquiries because of your background and interests or because of the issues in your particular ward, if your municipality operates with a ward structure.

Understandably, you will want to try to help your constituents. However, be sure to familiarize yourself with any policies or protocols that your municipality may have for handling public complaints and inquiries, and remember to consult municipal staff.

There may also be circumstances where decisions are made by designated staff who operate at arm's length from the council, and where it could be inappropriate for elected officials to interfere or be seen to be interfering. Examples of this include decisions made by statutory officers such as the clerk, treasurer, fire chief, chief building official or medical officer of health. These individuals may also be acting in accordance with accountability provisions under other pieces of legislation, which may impact their advice to council.

A councillor who has made promises that they cannot keep may lose credibility with the public and strain their working relationship with staff. If your municipality does not have a policy for handling public inquiries, complaints, and frequently asked questions, you may want to consider working with council and staff to develop such a policy. The Ontario Ombudsman encourages the development of local complaints processes, and you may wish to consult the Ontario Ombudsman's tip sheet for developing a local process.

Policy-making role

Council's role in policy-making is important to providing direction for municipal operations. Policy-making is another key council responsibility identified in section 224 of the Act.

Many council decisions are routine, dealing with the ongoing administration of the municipality, but others establish the principles and direction that may determine the municipality's future actions. These are often considered to be policy decisions. Some policies can be specific, such as a by-law requiring dogs to be kept on leashes in public areas, and others can be broader and more general, such as approval of an official plan.

Policy-making may involve a number of steps and requires council to:

- identify an issue that needs to be dealt with

- reach agreement on the facts of the issue, making sure the objectives are met

- give direction to staff to research the issue, identify the available options and report back to council with recommendations

- engage members of the public on the issue and consider their feedback

- consider the information provided by staff, taking into account demands on time, funding and other issues

- make a decision based on the best course of action available and adopt a policy

- direct staff to implement the policy

- work with staff to evaluate the policy and to update or amend it as required

In many cases, council refers a policy issue to a committee of council to take advantage of the committee's expertise in a particular area or to reduce council's workload. A committee of council may follow the same steps outlined above in making policy or making recommendations back to council.

In practice, however, policy-making is sometimes less orderly because of:

- a rapidly changing environment, the complexity of issues facing local government, and the difficulty in singling out problems that require more immediate attention

- differing and sometimes strongly held views by stakeholders and members of the public

- the lack of time to identify all possible alternatives and to conduct detailed research and analysis

- the legal and financial limits on what council may do

- the complexity of implementing policies and developing ways to monitor and evaluate them

Council is the municipality's primary policy-making body. Staff can provide information and advice to help inform council's policy decisions.

Municipal staff are responsible for implementing policies approved by council. As a result, your council may wish to develop appropriate reporting mechanisms so that council can follow implementation progress.

Stewardship role

Council's objectives are to ensure that the municipality's financial and administrative resources are being used as efficiently as possible.

There is a fine line between council's overall stewardship of the municipality and the administration's management of day-to-day activities. Generally, council monitors the implementation of its approved policies and programs, but the practical aspects of its implementation and administration are a staff responsibility.

The chief administrative officer is a discretionary position whose responsibilities are set out in section 229 of the Act.

> **229**. A municipality may appoint a chief administrative officer who shall be responsible for,
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> > a. exercising general control and management of the affairs of the municipality for the purpose of ensuring the efficient and effective operation of the municipality; and
> >
> > b. performing such other duties as are assigned by the municipality.

This approach, if chosen, can help separate policy making from policy implementation, with council concentrating on policy making and the chief administrative officer and others implementing the policy.

Before council can monitor and measure the municipality's administrative effectiveness and efficiency, it may wish to become familiar with policies currently in place. With input from municipal staff, council can determine whether the policies are functioning well or if changes are necessary.

As part of this process, council may wish to:

- define corporate objectives and set goals and priorities

- establish clear administrative practices

- provide specific guidelines and directions to staff on the applications of those policies

- delegate appropriate responsibilities to staff (to the extent permitted under municipal legislation)

- establish a personnel management policy that emphasizes the recruitment, hiring, evaluation, training and development of staff

- ensure that policies with respect to most operations of the municipality are in place, with special note to mandatory policies required by the Act

- develop protocols for the flow of information between council and staff; and

- consider establishing a protocol for sharing approaches with other local governments and indigenous communities that share a common interest in community health, culture and economy

To be effective in this stewardship role, council may wish to have processes in place to help ensure that:

- policies adopted by council are being implemented

- staff are administering services and programs as council intended

- rules and regulations are being applied correctly and consistently

- funds are being spent only as authorized, and the municipality's resources (financial and otherwise) are being used appropriately and as efficiently as possible

Establishing and following such policies and guidelines helps council leave the day-to-day details for staff to manage. Council is freer to deal with exceptional situations, ensure that policies are current and listen to issues raised by the public to represent the broader community interest.