



# General Committee Meeting Agenda

**Meeting No. 11 | July 9, 2024 | 9:00 AM | Live streamed**

Members of the public have the option to attend either remotely via Zoom or in-person in the Council Chamber at the Civic Centre

## Members of the public can participate by:

### 1. VIEWING THE ONLINE LIVESTREAM:

Council meetings are video and audio streamed at: <https://pub-markham.escribemeetings.com/>

### 2. EMAILING A WRITTEN SUBMISSION:

Members of the public may submit written deputations by email to [clerkspublic@markham.ca](mailto:clerkspublic@markham.ca).

**Written submissions must be received by 5:00 p.m. the day prior to the meeting.**

If the deadline for written submission has passed, you may:

Email your written submission directly to [Members of Council](#); or

Make a deputation at the meeting by completing and submitting an online [Request to Speak Form](#)

If the deadline for written submission has passed **and** Council has finished debate on the item at the meeting, you may email your written submission directly to [Members of Council](#).

### 3. REQUEST TO SPEAK / DEPUTATION:

Members of the public who wish to make a deputation, please register prior to the start of the meeting by:

Completing an online [Request to Speak Form](#), or,

E-mail [clerkspublic@markham.ca](mailto:clerkspublic@markham.ca) providing full name, contact information and item they wish to speak on.

If you do not have access to email, contact the Clerk's office at **905-479-7760** on the day of the meeting.

\*If Council or Committee has finished debate at the meeting on the item, you may email your written submission directly to [Members of Council](#).

The list of [Members of Council is available online at this link](#).

Alternate formats for this document are available upon request.

Closed captioning during the video stream may be turned on by clicking the [cc] icon located at the lower right corner of the video screen.

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**Note: As per Section 7.1(h) of the Council Procedural By-Law, Council will take a ten minute recess after two hours have passed since the last break.**

## **Information Page**

**General Committee Members:** All Members of Council

### **General Committee**

Chair: Councillor Keith Irish  
Vice Chair: Deputy Mayor Michael Chan

### **Finance & Administrative Matters**

Chair: Councillor Keith Irish  
Vice Chair: Deputy Mayor Michael Chan

### **Community Services Matters**

Chair: Councillor Isa Lee  
Vice Chair: Councillor Juanita Nathan

### **Environment & Sustainability Matters**

Chair: Councillor Amanda Collucci  
Vice Chair: Councillor Ritch Lau

### **Land, Building & Parks Construction Matters**

Chair: Councillor Andrew Keyes  
Vice Chair: Councillor Keith Irish

General Committee meetings are audio and video streamed live at the City of Markham's website.

Alternate formats for this document are available upon request.

**Consent Items:** All matters listed under the consent agenda are considered to be routine and are recommended for approval by the department. They may be enacted on one motion, or any item may be discussed if a member so requests.

**Please Note:** The times listed on this agenda are approximate and may vary; Council may, at its discretion, alter the order of the agenda items.

**General Committee is scheduled to recess for lunch from approximately 12:00 PM to 1:00 PM**

**Note: As per the Council Procedural By-Law, Section 7.1 (h) General Committee will take a 10-minute recess after two hours have passed since the last break.**



# General Committee Agenda

Meeting Number: 11

July 9, 2024, 9:00 AM - 12:00 PM

Live streamed

Please bring this General Committee Agenda to the Council meeting on July 17, 2024.

Pages

1. CALL TO ORDER

INDIGENOUS LAND ACKNOWLEDGEMENT

We begin today by acknowledging the traditional territories of Indigenous peoples and their commitment to stewardship of the land. We acknowledge the communities in circle. The North, West, South and Eastern directions, and Haudenosaunee, Huron-Wendat, Anishnabeg, Seneca, Chippewa, and the Mississaugas of the Credit peoples. We share the responsibility with the caretakers of this land to ensure the dish is never empty and to restore relationships that are based on peace, friendship, and trust. We are committed to reconciliation, partnership and enhanced understanding.

2. DISCLOSURE OF PECUNIARY INTEREST

3. APPROVAL OF PREVIOUS MINUTES

4. DEPUTATIONS

5. COMMUNICATIONS

6. PETITIONS

7. CONSENT REPORTS - FINANCE & ADMINISTRATIVE MATTERS

7.1 PROCLAMATIONS POLICY UPDATE (16.23)

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K. Kitteringham, ext. 4729 / A. Tari, ext. 2082 / J. Evans, ext. 3835

1. That the Staff Report entitled Amendments to the City’s Proclamations Policy dated July 9, 2024 be received; and,
2. That Council approve the *revised* Proclamations Policy attached as Appendix “B”; and further,

3. That staff be authorized and directed to do all things necessary to give effect to this resolution.

8. **PRESENTATIONS - FINANCE & ADMINISTRATIVE MATTERS**

8.1 **STAFF COUNCIL RELATIONS POLICY (16.23)**

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K. Kitteringham, ext. 4729 / M. Pettit, ext. 8220 / J. Evans, ext. 3835

1. That the report titled “Proposed Draft Council-Staff Relations Policy” be received; and,
2. That staff report back in the Fall, 2024 with a final proposed Council-Staff Relations Policy for Council’s adoption; and further,
3. That Staff be authorized and directed to do all things necessary to give effect to this resolution.

9. **MOTIONS**

10. **NOTICES OF MOTION**

11. **NEW/OTHER BUSINESS**

*As per Section 2 of the Council Procedural By-Law, "New/Other Business would generally apply to an item that is to be added to the **Agenda** due to an urgent statutory time requirement, or an emergency, or time sensitivity".*

12. **ANNOUNCEMENTS**

13. **ADJOURNMENT**



Report to: General Committee

Meeting Date: July 9, 2024

**SUBJECT:** Amendments to the City's Proclamations Policy  
**PREPARED BY:** Kimberley Kitteringham, City Clerk, ext. 4729  
 Alida Tari, Manager, Access and Privacy, ext. 2082  
 Jennifer Evans, Legislative Services Coordinator, ext. 3835

**RECOMMENDATION:**

1. That the Staff Report entitled Amendments to the City's Proclamations Policy dated July 9, 2024 be received; and,
2. That Council approve the *revised* Proclamations Policy attached as **Appendix "B"**; and further,
3. That staff be authorized and directed to do all things necessary to give effect to this resolution.

**PURPOSE:**

The purpose of this report is to propose minor amendments to the Council approved Proclamations Policy to aid in the efficient and effective administration of the Policy. These amendments were identified as part of a broad review of existing policies by Legislative Services staff.

**BACKGROUND:**

On May 3, 2011, Markham City Council adopted the Proclamations Policy (attached as **Appendix "A"**). Since the adoption of the Policy, over 180 new proclamations have been approved by the City. The Policy outlines the process for handling requests for proclamations issued by the City to recognize significant individuals, events, organizations, or community groups within Markham. Proclamations acknowledge interests or relationships to Markham, including but not limited to:

- Arts celebrations
- Cultural celebrations
- Charitable fundraising campaigns
- Civic promotions
- Public awareness campaigns; and,
- Honouring individuals or organizations for special achievement(s)

The City does not issue proclamations for the following:

- Individuals, events, organizations or community groups with no demonstrated significant interest or relationship to the City;
- Political parties or political organizations;
- Religious organizations or celebrations of religious events;
- Business or commercial enterprises;
- Illegal matters, including matters contrary to corporate policies or by-laws;
- Matters which defame the integrity of the City;

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- Discriminatory or inflammatory matters;
  - Matters designed to incite hatred or disorder; and.
  - Matters which are untruthful.

In accordance with the Policy, all proclamation requests must be submitted in writing to the City Clerk using the prescribed form at least (3) three weeks prior to the first day of the requested period of the proclamation. The City Clerk will review all applications to ensure they comply with the Policy. Markham City Council, or the City Clerk during Council recess, will determine if they meet the criteria specified in the Policy. Once a proclamation request has been approved, it is placed on a five (5) year list and if the request remains consistent with the Policy, it does not require Council approval. If the proclamation was not previously approved by Council or was approved by Council more than 5 years before the current request, the City Clerk will make a recommendation to Council to approve or deny the proclamation. Any proclamation approved or denied by the Clerk during Council recess will be placed on a Council agenda for information purposes.

#### **OPTIONS/ DISCUSSION:**

As part of a routine practice of reviewing existing policies, Legislative Services staff are recommending the following minor amendments to the Policy:

##### 1. Approval Criteria

The Policy currently prohibits the issuance of a proclamation for religious organizations or celebrations of religious events. Staff propose implementing an exception to this restriction to allow for the approval of proclamations for religious heritage months. The proposed change reflects feedback received by the Legislative Services Department regarding the desire in the community for the City to recognize religious heritage months.

##### 2. Approval Process for New Proclamations

The Policy currently mandates that the City Clerk place all requests for new proclamations (those not on the five-year approved list) on a Council agenda, even if they meet the approval criteria. In practice, these new proclamation requests are rarely brought up for discussion by a Member of Council during meetings. To help streamline Council agendas as much as possible, staff propose revising the Policy to remove the need for Council approval of new proclamation requests. Instead, these requests would be sent to the Mayor's Office for approval, along with a recommendation from the City Clerk to approve or deny the request. The Mayor would then be responsible for approving new requests but will consult with the Council on requests that require additional consideration. This change aims to increase process efficiency and reduce the burden on Council agendas.

##### 3. Authorize the City Clerk to approve proclamations for specific days being recognized by the City of Markham

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Staff propose amending the Policy to allow for the ongoing approval of the following annual proclamations recognized by the City, consistent with the Markham's dedication to creating a safe and inclusive environment for all:

- Tamil Heritage Month (January)
- International Holocaust Remembrance Day (January 27)
- National Day of Remembrance and Action against Islamophobia (January 29)
- Black History Month (February)
- Chinese Heritage Month (February)
- Hellenic Heritage Month (March)
- Irish Heritage Month (March)
- Persian Heritage Month (March)
- International Women's Day (March 8)
- International Day for the Elimination of Racial Discrimination (March 21)
- Sikh Heritage Month (April)
- National Day of Mourning (April 28)
- Armenian Heritage Month (May)
- Asian Heritage Month (May)
- Dutch Heritage Month (May)
- Jewish Heritage Month (May)
- National Public Works Week (May)
- South Asian Heritage Month (May)
- National Indigenous History Month (June)
- Filipino Heritage Month (June)
- Hakka Heritage Week (June)
- Italian Heritage Month (June)
- Portuguese Heritage Month (June)
- Pride Month (June)
- Recreation and Parks Month (June)
- Seniors Month (June)
- National Indigenous Peoples' Day (June 21)
- National Day of Remembrance for Victims of Terrorism (June 23)
- Canadian Multiculturalism Day (June 27)
- Emancipation Day (August 1)
- Firefighters' National Memorial Day (September)
- Franco-Ontarian Day (September 25)
- Police and Peace Officers' National Memorial Day (September 25)
- National Day for Truth and Reconciliation (September 30)
- Fire Prevention Week (October)
- German Heritage Month (October)
- Hispanic Heritage Month (October)
- Islamic Heritage Month (October)
- Korean Heritage Month (October)
- Local Government Week (October)

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- National Disability Employment Awareness Month (October)
  - Ontario Public Library Week (October)
  - Women’s History Month (October)
  - Hindu Heritage Month (November)
  - Remembrance Day (November 11)
  - Christian Heritage Month (December)
  - National Day of Remembrance and Action on Violence Against Women (December 6)

With this change, sponsors of the above-noted events will no longer be required to submit an annual application to the Legislative Services Department. Staff also request authorization for the City Clerk to add additional proclamations being recognized by City of Markham to this above list as needed, in consultation with the Mayor’s Office.

**FINANCIAL CONSIDERATIONS**

None.

**HUMAN RESOURCES CONSIDERATIONS**

None.

**ALIGNMENT WITH STRATEGIC PRIORITIES:**

The City of Markham recognizes that proclamations hold significant meaning for our diverse residents as they recognize and celebrate the diverse cultural, historical, and social contributions of our community residents. By issuing proclamations, the City raises awareness of significant events, causes, and achievements, fostering a sense of pride and unity among residents. These proclamations also serve to educate and inform the public, highlighting the values and priorities of the City of Markham. Through this formal recognition, Markham demonstrates its commitment to inclusivity, respect, and the celebration of our shared heritage and community spirit.

**BUSINESS UNITS CONSULTED AND AFFECTED:**

Not Applicable

**RECOMMENDED BY:**

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Kimberley Kitteringham  
City Clerk


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Trinela Cane  
Commissioner, Corporate Services

**Appendix “A”** – Current Proclamations Policy

**Appendix “B”** – Proposed Revised Proclamations Policy



	<b>Proclamations Policy</b>	
	Policy Category: Governance/Protocol	
	Policy No.:	Implementing Procedure No.:
<b>Approving Authority:</b> <b>COUNCIL</b>	<b>Effective Date:</b> <b>MAY 3, 2011</b>	
<b>Approved or Last Reviewed Date:</b> <b>MAY 3, 2011</b>	<b>Next Review Year:</b>	
<b>Area(s) this policy applies to:</b> <b>Proclamations Issued by the City</b>	<b>Owner Department:</b> <b>LEGISLATIVE SERVICES</b>	
<b>Related Policy(ies):</b> <ul style="list-style-type: none"> <li>Community Flag Raising &amp; Flag Protocol Policy</li> </ul>		

Note: Questions about this policy should be directed to the Owner Department.

### 1. Purpose Statement *(Outline why the organization is issuing the policy and its desired effect or outcome of the policy)*

The purpose of the Proclamation Policy (Policy) is to provide for a standard to govern requests for proclamations issued by the City of Markham (City) in recognition of individuals, events, organizations or community groups of significance in the City.

### 2. Policy Statements *(Detail the specific regulations, requirements, or modifications to organizational behaviour to be addressed by this policy)*

#### a. Policy Statements:

The City issues proclamations to recognize individuals, events, organizations and community groups of significance to the City. A proclamation will recognize a particular day, week or month.

The proclamation itself is issued to acknowledge the effort and commitment of an individual, organization or community group and should not be interpreted as an endorsement by the City.

The Council of the City of Markham has authority to approve or deny requests for proclamations. The Clerk has been delegated the authority to approve or deny requests for proclamations during Council's summer recess, where required.

The decision of Council or the Clerk, where applicable, is final.



## Proclamations Policy

Policy No.:

Implementing Procedure No.:

### b. Proclamation Criteria:

Proclamations will demonstrate an interest in or relationship to the City, including but not limited to:

- (a) Arts celebrations;
- (b) Cultural celebrations;
- (c) Charitable fundraising campaigns;
- (d) Civic promotions;
- (e) Public awareness campaigns; and,
- (f) Honouring individuals or organizations for special achievement(s).

Proclamations related to the following will not be approved, including but not limited to:

- (a) Individuals, events, organizations or community groups with no demonstrated significant interest or relationship to the City;
- (b) Political parties or political organizations;
- (c) Religious organizations or the celebration of religious events;
- (d) Businesses or commercial enterprises;
- (e) Illegal matters, including matters contrary to corporate policies or by-laws;
- (f) Matters which defame the integrity of the City;
- (g) Discriminatory or inflammatory matters;
- (h) Matters designed to incite hatred or disorder; and,
- (i) Matters which are untruthful.

Proclamations will not be issued if the first day to be recognized has passed.

Council or the Clerk during Council's summer recess where required, will decide on requests for proclamations which do not fall into any of the criteria outlined above.

### c. Application Procedure:

- (a) Requests for proclamations must be submitted to the Clerk in writing using the application form prescribed by the Clerk at least three (3) weeks in advance of the first date of recognition.
- (b) The Clerk will review all applications and determine if the proclamation is consistent with the Policy.
- (c) The Clerk may request and make any amendments to the proclamation, which in the Clerk's opinion improves the structure and/or overall intent of the requested



## Proclamations Policy

Policy No.:

Implementing Procedure No.:

proclamation.


- (d) If the proclamation was previously approved by Council within 5 years of the current proclamation request, and is consistent with the Proclamation Criteria in (c), the proclamation will be issued, and noted on a Council agenda for information purposes.
- (e) If the proclamation was not previously approved by Council, or was approved by council more than 5 years before the current request, the Clerk will make a recommendation to Council to approve or deny the proclamation on a Council agenda prior to the first date of recognition if possible) for information purposes.
- (f) Any proclamations approved or denied by the Clerk during Council's summer recess will be noted on a Council agenda when Council reconvenes for information purposes.

### d. Communication of Proclamation

- (a) The individual, organization or community group will be responsible for disseminating the proclamation to the media and making arrangements for the attendance of the Mayor and/or Councillors at the specific function or event, if any, at which the proclamation is to be made.
- (b) Certificates of proclamations are available from the Office of the Mayor upon request.
- (c) Proclamations may be listed in any City publication or notice, at the discretion of the City.

### 3. Roles and Responsibilities *(Outline roles and responsibilities of those involved in the implementation of the policy)*

The Clerk will be responsible for the implementation and interpretation of this Policy.

	<b>Proclamations Policy</b>	
	<b>Policy Category: Governance</b>	
	<b>Policy No.:</b>	<b>Implementing Procedure No.:</b>
<b>Approving Authority:</b> Council	<b>Effective Date:</b> TBD	
<b>Approved or Last Reviewed Date:</b> July 9, 2024	<b>Next Review Year:</b> 5 years from Last Reviewed Date	
<b>Area(s) this Policy applies to:</b> Proclamations issued by the City	<b>Owner Department(s):</b> Legislative Services	
<b>Related Policies:</b> <a href="#">Community Flag Raising &amp; Flag Protocol Policy</a>		

**Note: Questions about this Policy should be directed to the Owner Department (see above).**

### 1. Purpose Statement

The purpose of the Proclamation Policy is to provide a standard to govern requests for proclamations issued by the City of Markham (City) in recognition of individuals, events, organizations or community groups of significance in the City.

### 2. Applicability and Scope Statement

The City of Markham's Proclamation Policy applies to all requests for official proclamations submitted to the City. This policy encompasses the criteria, procedures, and guidelines for issuing proclamations that recognize significant events, individuals, achievements, or causes within the community. It applies to all individuals and organizations seeking recognition from the City of Markham and outlines the roles and responsibilities of the City Clerk, the Office of the Mayor and City Council in reviewing and approving these requests. The policy ensures that all proclamations are handled consistently, transparently, and in alignment with the City's values and priorities.

### 3. Background

On May 3, 2011, Markham City Council adopted the Proclamations Policy. The Policy outlines the process for handling requests for proclamations issued by the City to recognize significant individuals, events, organizations, or community groups within Markham.

### 4. Definitions

Unless otherwise specified, all definitions are as in the City of Markham Council Code of Conduct and the Municipal Act.

- "City" means The Corporation of the City of Markham.
- "City Clerk" means the Clerk and Returning Officer of the Corporation of the City of Markham.
- "Council" means Council of the City.
- "Councillor" means a Member of Council.
- "Staff" includes anyone employed by the City including full-time, part-time, temporary or seasonal Staff, contract staff, students and volunteers in accordance with the Municipal Act, but does not include Councillors, who are not employees of the City. Contractors doing work for the City are considered Staff for the purposes of this Policy.

### 5. Policy Statements



## Proclamations Policy

Policy No.:

Implementing Procedure No.:

The City of Markham issues proclamations to recognize individuals, events, organizations and community groups of significance to the City. A proclamation will recognize a particular day, week or month. A proclamation is issued to acknowledge the effort and commitment of an individual, organization or community group and should not be interpreted as an endorsement by the City.

**The City of Markham will annually proclaim the following as a symbol of Markham's dedication to creating a safe and inclusive environment for everyone:**

- **Tamil Heritage Month (January)**
- **International Holocaust Remembrance Day (January 27)**
- **National Day of Remembrance and Action against Islamophobia (January 29)**
- **Black History Month (February)**
- **Chinese Heritage Month (February)**
- **Hellenic Heritage Month (March)**
- **Irish Heritage Month (March)**
- **Persian Heritage Month (March)**
- **International Women's Day (March 8)**
- **International Day for the Elimination of Racial Discrimination (March 21)**
- **Sikh Heritage Month (April)**
- **National Day of Mourning (April 28)**
- **Armenian Heritage Month (May)**
- **Asian Heritage Month (May)**
- **Dutch Heritage Month (May)**
- **Jewish Heritage Month (May)**
- **National Public Works Week (May)**
- **South Asian Heritage Month (May)**
- **National Indigenous History Month (June)**
- **Filipino Heritage Month (June)**
- **Hakka Heritage Week (June)**
- **Italian Heritage Month (June)**
- **Portuguese Heritage Month (June)**
- **Pride Month (June)**
- **Recreation and Parks Month (June)**
- **Seniors Month (June)**
- **National Indigenous Peoples' Day (June 21)**
- **National Day of Remembrance for Victims of Terrorism (June 23)**
- **Canadian Multiculturalism Day (June 27)**
- **Emancipation Day (August 1)**
- **Firefighters' National Memorial Day (September)**
- **Franco-Ontarian Day (September 25)**
- **Police and Peace Officers' National Memorial Day (September 25)**
- **National Day for Truth and Reconciliation (September 30)**
- **Fire Prevention Week (October)**



## Proclamations Policy

Policy No.:

Implementing Procedure No.:

- German Heritage Month (October)
- Hispanic Heritage Month (October)
- Islamic Heritage Month (October)
- Korean Heritage Month (October)
- Local Government Week (October)
- National Disability Employment Awareness Month (October)
- Ontario Public Library Week (October)
- Women's History Month (October)
- Hindu Heritage Month (November)
- Remembrance Day (November 11)
- Christian Heritage Month (December)
- National Day of Remembrance and Action on Violence Against Women (December 6)

### a) Proclamation Criteria:

Proclamations will demonstrate an interest in or relationship to the City, including but not limited to:

- Arts celebrations;
- Cultural celebrations;
- **Religious heritage months;**
- Charitable fundraising campaigns;
- Civic promotions;
- Public awareness campaigns; and,
- Honouring individuals or organizations for special achievement(s).

The City does not issue proclamations for the following:

- Individuals, events, organizations or community groups with no demonstrated significant interest or relationship to the City;
- Political parties or political organizations;
- Religious organizations or celebrations of religious events\* (**\*with the exception of religious heritage months**);
- Business or commercial enterprises;
- Illegal matters, including matters contrary to corporate policies or by-laws;
- Matters which defame the integrity of the City;
- Discriminatory or inflammatory matters;
- Matters designed to incite hatred or disorder; and.
- Matters which are untruthful.

Proclamations will not be issued if the first day to be recognized has passed.

### b) Application Procedure:

- Requests for new proclamations must be submitted to the Legislative Services Department in writing using the application form prescribed by the City Clerk at least three (3) weeks in advance of the first date of recognition.
- **The City Clerk will evaluate all new applications, determine if the proclamation is consistent with the Policy, and will forward the request to the Mayor's Office with a recommendation to approve or deny the request.**
- **The Mayor will approve or deny new proclamation requests and will consult with Markham City Council on requests that require additional consideration.**



## Proclamations Policy

Policy No.:

Implementing Procedure No.:

- The decision of the Mayor, or the City Clerk where applicable, is final.
  - Once a proclamation request has been approved, it is placed on a five (5) year list and if the request remains consistent with the Policy, it doesn't require additional approval during this period.
  - If the proclamation was not previously approved by more than 5 years before the current request, **the City Clerk will make a recommendation to Mayor's Office to approve or deny the proclamation.** Any proclamation approved or denied by the City Clerk during Council recess will be placed on a Council agenda for information purposes.
  - **The City Clerk has authority to add additional annual City of Markham proclamations to this approved list of proclamations as needed, in consultation with the Mayor's Office.**
- c) Communication of Proclamation**
- The individual, organization or community group will be responsible for disseminating the proclamation to the media and making arrangements for the attendance of the Mayor and/or Councillors at the specific function or event, if any, at which the proclamation is to be made.
  - Certificates of proclamations are available from the Office of the Mayor upon request.
  - Proclamations may be listed in any City publication or notice, at the discretion of the City.

### 7. Monitoring/Contraventions of Policy

The City Clerk shall be responsible for receiving complaints and/or concerns related to this Policy.



Report to: General Committee

Meeting Date: July 9, 2024

**SUBJECT:** Proposed Draft Council-Staff Relations Policy  
**PREPARED BY:** Kimberley Kitteringham, City Clerk, ext. 4729  
 Martha Pettit, Deputy Clerk, ext. 8220  
 Jennifer Evans, Legislative Services Coordinator, ext. 3835

**RECOMMENDATION:**

- 1) That the report titled “Proposed Draft Council-Staff Relations Policy” be received; and,
- 2) That staff report back in the Fall, 2024 with a final proposed Council-Staff Relations Policy for Council’s adoption; and,
- 3) That Staff be authorized and directed to do all things necessary to give effect to this resolution.

**PURPOSE:**

The Municipal Act requires every Ontario municipality (as of March 1, 2019) to adopt a Policy on Council-staff relations. The purpose of this report is to provide Markham City Council with a proposed draft Council-Staff Relations Policy for review and comment.

**BACKGROUND:**

Sections 224 and 227 of the Municipal Act, 2001 (the Act) define the roles and responsibilities of Council and the municipal administration, respectively. The City currently has the following policies in place governing the conduct of both Members of Markham City Council and City staff:

- City of Markham’s Council Code of Conduct - governs the behavior of Members of Council.
- The City’s Code of Ethics and Conduct: Applying to all Municipal Staff - governs the behavior of all City staff.

The Act mandates that all Ontario municipalities establish a policy governing the relationship between Members of Council and municipal officers and employees, yet it offers no specific guidance on its content. The City of Markham does not have a dedicated policy on Council-Staff relations and has instead incorporated relevant provisions into several existing policies to meet this legal requirement. This has periodically created confusion and as such, staff are recommending the adoption of a new stand-alone Council-Staff Relations Policy.

Towards this end, in late 2023, the City engaged Strategy Corp (Sabine Matheson) to develop a Council-Staff Relations Policy for Markham. In this process, Ms. Matheson conducted a thorough review of best practices from policies across the Province and consulted with individual Members of Council and City staff to address any specific concerns they wished to include in the development of Markham’s policy.



**OPTIONS/ DISCUSSION:**

The proposed draft Council-Staff Relations Policy is attached as **Appendix “A”**. Once the Policy is adopted, it will be part of a broader framework of policies that support productive working relationships between Members of Markham City Council and City Staff, including:

- Accountability and Transparency Policy
- City of Markham Council Code of Conduct
- Code of Ethics and Conduct (City Staff)
- Council Procedural By-law
- Respect in the Workplace Policy
- Use of Corporate Resources in an Election Year Policy

The proposed draft Council-Staff Relations Policy satisfies the requirements of the Act and supports a respectful, productive and harassment-free relationship between Councillors and their Offices, and staff. The proposed draft Policy contains the following:

- an overview of the roles of Council, the CAO and the Administration as set out in the Act.
- a summary of expectations regarding the behaviour of Members of Council and staff.
- detailed guidelines for how Councillors may obtain information from staff to respond to community/resident matters, or make requests for service.

For compliance matters, Members of Council have the option to consult the City’s Integrity Commissioner for guidance on interpreting or adhering to the proposed Policy. Should any concerns regarding a Member of Council’s compliance with the proposed Policy be raised with the City Clerk, they will be forwarded to the Integrity Commissioner for investigation in line with the City of Markham’s Council Code of Conduct. Complaints or concerns related to Markham staff members will follow the City’s standard administrative process. Failure by staff to adhere to this Policy may result in disciplinary measures, up to, and including termination.

Conclusion

The City has benefited from a healthy relationship between Members of Council and City staff. As the local government landscape grows increasingly complex with changing legislation and financial pressures, it has become crucial to avoid minor issues escalating into significant problems. To address this, clearer rules need to be established for how Members of Council and staff interact. The proposed draft Council-Staff Relations Policy aims to:

- ✓ Fulfill the requirements of the Act;
- ✓ Clearly define the roles and responsibilities of Members of Council and City Staff; and,
- ✓ Ensure the efficient, accountable, equitable, and transparent conduct of business.

Staff are seeking the General Committee's feedback on the proposed draft Council-Staff Relations Policy. Staff will consider this feedback in the creation of a final Policy for presentation to General Committee in the Fall, 2024.

**BUSINESS UNITS CONSULTED AND AFFECTED:**

The Executive Leadership Team (ELT) was consulted in the preparation of this report.

**RECOMMENDED BY:**

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Kimberley Kitteringham  
City Clerk

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Trinela Cane  
Commissioner, Corporate Services

**Appendix "A" - Proposed Draft Council-Staff Relations Policy**

	<b>Council Staff Relations Policy</b>	
	<b>Policy Category: Governance</b>	
	<b>Policy No.:</b>	<b>Implementing Procedure No.:</b>
<b>Approving Authority:</b> Council	<b>Effective Date:</b> TBD	
<b>Approved or Last Reviewed Date:</b> TBD	<b>Next Review Year:</b> 5 years from Last Reviewed Date	
<b>Area(s) this Policy applies to:</b> City-wide	<b>Owner Department(s):</b> Legislative Services	
<b>Related Policies:</b> <ul style="list-style-type: none"> <li>• <a href="#">Accountability &amp; Transparency Policy</a></li> <li>• <a href="#">Code of Ethics and Conduct: Applying to all Municipal Staff</a></li> <li>• <a href="#">Council Code of Conduct</a></li> <li>• <a href="#">Council Procedural By-law 2017-5</a></li> <li>• <a href="#">Ontario Municipal Act</a></li> <li>• <a href="#">Municipal Conflict of Interest Act</a></li> <li>• <a href="#">Ontario Municipal Elections Act</a></li> <li>• <a href="#">Municipal Freedom of Information and Protection of Privacy Act</a></li> <li>• <a href="#">Ontario Human Rights Code</a></li> <li>• <a href="#">Ontario Occupational Health and Safety Act</a></li> <li>• <a href="#">Respect in the Workplace Policy</a></li> <li>• <a href="#">Routine Disclosure Policy</a></li> </ul>		

**Note: Questions about this Policy should be directed to the Owner Department (see above).**

## 1. Purpose Statement

The Council Staff Relations Policy aims to serve the best interests of the City of Markham by clearly defining and recognizing the roles of both Councillors and staff, as well as establishing the rules and expectations for their interactions. The objective is to foster a respectful, tolerant, and harassment-free environment, promoting mutual respect and trust among all Councillors and staff in Markham.

## 2. Applicability and Scope Statement

This Policy shall apply to all Councillors and staff.

## 3. Background

Sections 224 and 227 of the Municipal Act, 2001 (the Act), outline the roles and responsibilities of Council, the CAO and the municipal administration, respectively. The Act requires all Ontario municipalities to establish a policy governing the relationship between Members of Council and municipal staff.

## 4. Definitions



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Unless otherwise specified, all definitions are as in the City of Markham Council Code of Conduct and the Municipal Act.

- **“Administration”** is the collective term that includes the CAO, Senior Executive and all other Staff.
- **“Chief Administrative Officer”** or CAO is as defined by the Municipal Act.
- **“City”** means The Corporation of the City of Markham.
- **“City Clerk”** means the Clerk and Returning Officer of the Corporation of the City of Markham.
- **“Council”** means Council of the City.
- **“Councillor”** means a Member of Council.
- **“Councillor Staff”** means a Member of Council’s Executive Assistant and any other member of their office staff. References to Councillor conduct in this Policy includes their Staff, with necessary modifications.
- **“Senior Executive”** means any of the CAO, Commissioners, and Directors of the City.
- **“Staff”** includes anyone employed by the City including full-time, part-time, temporary or seasonal Staff, contract Staff, students and volunteers in accordance with the Municipal Act, but does not include Councillors, who are not employees of the City. Contractors doing work for the City are considered Staff for the purposes of this Policy.
- **“Strong Mayor Legislation”** means the Strong Mayor provisions set out in Section 226.1 to 226.15 and Part VI.1 of the Municipal Act.

### 5. Policy Statements



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### Recognition of the Roles of Council, CAO and Administration

#### 1. Role of Council:

1.1. The Municipal Act defines the responsibilities of Council. These primarily involve:

- 1.1.1. Representing the public and making collective decisions that prioritize the well-being and interests of both the City and its residents;
- 1.1.2. Developing and evaluating the policies and programs of the City;
- 1.1.3. Determining which services the City provides;
- 1.1.4. Ensuring that administrative policies, practices and controllership policies, practices and procedures are in place to implement Council decisions;
- 1.1.5. Ensuring the accountability and transparency of the operation of the City, including the activities of the Senior Executive; and,
- 1.1.6. Maintaining the financial integrity of the City.

1.2. Each Councillor is responsible for exercising their own judgement when considering the well-being and interests of the City and its residents. They should not solely depend on the viewpoints of other individual Councillors.

#### 2. Role of the CAO:

2.1. The Municipal Act defines the responsibilities of the CAO. These primarily involve:

- 2.1.1. Exercising general control and management of the affairs of the City for the purpose of ensuring the efficient and effective operation of the City; and,
- 2.1.2. Performing other duties assigned by the City through the appointment by-law and delegation of authority to the CAO.

2.2. On day-to-day matters, it is the role of the CAO and the Senior Executive to direct and manage the work of Staff. Staff time is a limited corporate resource and must be managed in a manner that respects its value as a public asset.

2.3. Members of the Administration shall not seek to improperly influence or interfere in the decision-making of Council.

#### 3. Role of Administration:

3.1. The Municipal Act defines the responsibilities of Administration. These primarily involve:

- 3.1.1. Implementing Council's decisions and establishing administrative practices and procedures to carry out Council's decisions; and,
- 3.1.2. Undertaking research and providing advice to Council on the policies and programs of the City.



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3.2. Markham's Administration includes professionals and experts in all aspects of the City's areas of service. It is expected that the Administration provides objective advice to Council based on professional knowledge and that Council will rely on the Administration as its primary source of expert opinion.

3.3. It is expected that the Administration will faithfully and impartially serve Council in a non-partisan fashion.

#### 4. **Respect the Roles of Council and Administration:**

4.1. Councillors and members of the Administration must uphold their respective roles and show respect for the roles of others within the City.

4.2. For greater certainty, Councillors shall not seek to improperly influence or interfere in the operations of the City. Councillors may not on their own authority direct the conduct of Staff through:

4.2.1. Directing or influencing Staff other than by way of Council or Committee resolution;

4.2.2. Directing Staff to take on new assignments;

4.2.3. Directing Staff as to the pace, priority, or conduct of work;

4.2.4. Directing Staff to change the content of staff reports or recommendations;

4.2.5. Attending technical meetings between Staff and consultants, applicants, contractors, or legal advisors;

4.2.6. Seeking to alter normal administrative practices or policies of the City, except through Council decision.

4.3. Councillors are not permitted to advocate for the private interests of any individual, Corporation, Corporate or business interest as to do so would be to use their influence for a purpose other than the exercise of their duties (see Role of Council Section 1.1) and which would contravene Section 3.2 (b) and Section 13.1 of the City of Markham Council Code of Conduct.

4.4. City Staff carry out and implement the laws and policies of the City as enacted by Council. For a Councillor to advocate on behalf of an individual challenging a position taken by staff on a matter, is to challenge the very direction staff have been given by Council.

4.5. For greater clarity, Councillors shall not formally or informally speak to members of a City's adjudicative tribunal (e.g. Committee of Adjustment) about matters before them.

4.6. For greater clarity, Councillors shall not formally or informally speak to members of a City's advisory committee or board (e.g. Heritage Committee) about matters before them. This does not apply to a Councillor appointed by Council to serve on the advisory committee or board.

#### 5. **Respect the Chain of Command:** Having regard to the role of Council to set policy, and the role of the Administration set out in section 3, the normal chain of command shall be followed as set out below:

5.1. Normally, Staff are directed in their regular duties by the CAO, the Senior Executive, and their designates.

5.2. Staff may be directed by vote of Council.



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- 5.3. Staff may be directed by the Mayor, as authorized by the Strong Mayor Legislation.
- 5.4. Individual Councillors are not authorized to direct the activities of Staff in the performance of their duties.
- 5.5. Specifics of the “chain of command” shall be defined from time to time by policies and delegations of authority, and communicated to Councillors and to the Administration.
- 5.6. Councillors are responsible for managing their office and the Councillor Staff, ensuring they are aware of and comply with this Policy.

### 6. Roles and Responsibilities



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### 6. Expectations of Councillors and Administration

6.1 **Seek to advance the common good** of the City and act in a manner that enhances public confidence in local government.

6.2 **Promote the flow of formal and informal communication among Councillors and Administration:** Open communication is essential to the proper functioning of the City. Council and Staff are encouraged to share information relevant to the effective operation of the City, on a timely basis, as it becomes available through formal, and informal communications channels as appropriate in the circumstance:

6.2.1 Formal communication channels, such as written reports and presentations exist to ensure transparency, consistency, and adherence to policy.

6.2.2 Informal communication channels, such as verbal reports, exist to facilitate timely or two-way communication, and are also encouraged to promote the flow and exchange of information within the organization.

6.2.3 The Contact Centre, and its contact management system, exist to promote good customer service by creating a centralized portal for all information relating to issues raised by Markham residents and customers to be coordinated by Staff.

6.3 **Promote orderly and effective conduct at City meetings:** Councillors and members of the Administration shall conduct themselves at Council and in City-related business meetings with decorum, and where applicable, in accordance with the City's Council Procedural By-law.

6.3.1 Councillors are expected to show respect for all participants by being courteous and not distracting from the business of the meeting during presentations and when other Councillors have the floor.

6.3.2 To avoid the risk of delay caused by incomplete information, whenever possible, Councillors and Staff shall discuss with the CAO and/or the Senior Executive issues or questions that may arise prior to Council (or Committee) meetings.

6.3.3 Councillors are expected to consult with the mover of a motion before meetings if the Councillor does not believe sufficient information has been provided to allow the Councillor to make an informed decision on the matter.

6.3.4 It is expected that all participants will be well prepared for meetings and will prioritize appropriately, according to direction given by Council or the Senior Executive.

6.4 **Ensure a safe and respectful workplace:** Markham is committed to a positive, healthy, and safe workplace in which every person is treated with respect and dignity. Our workplace shall:

6.4.1 Respect the diversity of Councillors and of the Administration and be free from discrimination;

6.4.2 Be free from harassment as defined by the Ontario Human Rights Code and the Ontario Occupational Health and Safety Act;

6.4.3 Be free from violence (as defined by the Ontario Occupational Health and Safety Act).

6.5 **Harassment of a Councillor, Staff or any member of the public:** is prohibited under the Ontario Human Rights Code. Harassment, whether it occurs inside or outside the workplace, or whether it is related to the work





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environment or other activities of a Councillor or a member of the Administration, is inappropriate behaviour for the purpose of this Policy.

**6.6 Not engage in public disparagement of a Councillor or of a member of the Administration:** Councillors and members of the Administration are expected to be respectful of each other and to encourage others to do the same. They shall refrain from publicly criticizing each other in a way that casts aspersions on or undermines their professional competence, ethics, or credibility.

**6.7 No Favouritism:** The Administration serves Council as a whole. All Councillors are equal and are to be treated as such, without favouritism, by the Administration.

6.7.1 To maintain the formal character of the relationship, when in public, Councillors and Staff shall refer to each other by their titles or formal names.

6.7.1.1 For clarity, when the Administration responds to the Mayor exercising authority under Strong Mayor Legislation and City policy, the actions of the Administration do not demonstrate favoritism.

**6.8 Comply with the prevailing resident/customer service policy (see Attachment A – Councillor Request for Information or Service Policy) as it relates to:**

6.8.1 Proper intake of resident calls for service;

6.8.1.1.1 Triaging, assessing, and prioritizing of calls for service, including routing as routine or requiring policy assessment and potential Council determination;

6.8.2 Assigning and undertaking necessary action;

6.8.3 Escalation protocols, if necessary;

6.8.4 Tracking, and reporting of calls for service;

6.8.5 Reporting out to resident, relevant Councillor and the Administration;

6.8.6 Performance measurement and evaluation.

**6.9 Maintain confidentiality:** Act in a manner that complies with all applicable policies and legislation relating to confidentiality, including the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), the City of Markham Council Code of Conduct and the City's Council Procedural By-law.

6.9.1 Understand that Councillor discussions with Staff may be communicated to others within the organization and that a Councillor cannot compel Staff to confidentiality.

### Expectations Relating to Councillors

#### 7. All Councillors Shall:

**7.1 Promote Public confidence:** Councillors shall act in a way that enhances public confidence in local government.

**7.2 Engage in respectful debate in the decision-making process:** It is acknowledged that the purpose of Council is to make decisions. Debate is part of the decision-making process, and it is expected that Councillors will engage in respectful debate as part of their collective task of decision-making.



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- 7.3 Respect the outcomes of the decision-making process:** All Councillors shall uphold the decisions of Council, regardless of personal opinion or belief, and commit to the implementation of those decisions, except in accordance with the reconsideration provisions of the City's Council Procedural By-law.
- 7.4 Not exert undue influence in responding to constituent inquiries:** As described in s.1 of the City of Markham Council Code of Conduct, it is the obligation of a Councillor to serve their constituents and the public in an accountable and transparent manner.
- 7.4.1 It is expected that on all matters, Councillors will discharge this obligation in a manner consistent with the expectations described in this Policy.
  - 7.4.2 It is expected that Councillors will seek advice from the Administration about all matters relating to constituent concerns to ensure accurate information regarding City policy, service levels, budget and work plans, is communicated by Councillors and Councillor Staff.
  - 7.4.3 Councillors may not use their status as a Member of Council to improperly influence the actions or decisions of Staff or to secure preferential benefit or treatment for a constituent that would not normally be available for another member of the public.
- 7.5 Demonstrate Respect for Staff.** Councillors will respect the role of Staff in the administration of the business affairs of the City. Councillors will direct any criticism of Staff to the Senior Executive and refrain from criticizing Staff in public and in the media.
- 7.6 Demonstrate Respect for the political neutrality of Staff:** Councilors shall honour the requirement for Staff to remain neutral and objective. A Councillor shall not:
- 7.6.1 Compel Staff to engage in partisan political activities.
  - 7.6.2 Subject Staff to threats or intimidation for refusing to engage in partisan political activities.
  - 7.6.3 Impose a burden of confidentiality on a Staff member relating to a communication that the Councillor had with that member of Staff.
- 7.7 Accept Accountability for the Actions of Councillor Staff.**
- 7.7.1 A Councillor's Staff has no authority other than that delegated by the Councillor.
  - 7.7.2 A Councillor is accountable for the actions of their Councillor Staff member.

### Expectations Relating to Administration

#### 8. In fulfilling their responsibilities as set out in the Municipal Act, Administration shall:

- 8.1 Impartially provide professional advice:** the Administration acknowledges that its role is to provide impartial and objective advice to Council.



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- 8.2 Respect and acknowledge the role of Council:** The Administration acknowledges the role of Council as the policy setting and decision-making body of the City.
- 8.3 Respect the outcomes of the decision-making process:** the Administration will faithfully implement the decisions of Council, regardless of personal opinion or belief, in accordance with administrative policies of the City.
- 8.4 Adhere to Compliance requirements:** Staff will operate within the confines of their delegations of authority and:
- 8.4.1 Refrain from making corporate commitments to agencies, groups, citizens that may have financial, administrative, or corporate implications, unless approved by Council or the Senior Executive.
  - 8.4.2 Comply with all relevant requirements to remain in good standing regarding their professional designation, at all times.
  - 8.4.3 Exercise any statutory obligations independent of influence and in accordance with the provisions of the applicable legislation.

### 9. Managing Interactions between the Administration and Council:

**9.1 Responding to requests for information: Councillors and the Administration shall comply with the prevailing Resident/Customer Service Policy (see Appendix A – Councillor Request for Information or Service Policy) as it relates to obtaining information.**

- 9.1.1 The Administration shall provide a written response within the timelines set out in section 8.3 acknowledging the request and a timeline for delivering the requested information. Response times may vary depending on the scope of the material requested.
- 9.1.2 When delivering the requested information, it may be provided to all Councillors equally if the information would be of value to all Councillors.
- 9.1.3 Requests for information made during a Council or Committee meeting shall be answered and circulated in writing to all Councillors through the City Clerk.

**9.2 “Drop in” meetings are discouraged:** It is not appropriate for Councillors to convene spontaneous meetings with Staff.

- 9.2.1 It is expected that appointments will be made for meetings between the Senior Executive and Councillors to ensure that all parties are available and prepared for the discussion and that other priorities are not disrupted.
- 9.2.2 To ensure a transparent, accountable, and respectful workplace, staff participation in Councillor-constituent or community information meetings must be authorized by the Council. Senior Executives will determine which appropriate Staff to attend any requested meetings.

**9.3 Response time expectations:** For requests from Council to Staff, the City has a normal response time expectation as follows:



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9.3.1 Emergency: Immediate or as soon as possible


9.3.2 Priority: as determined by the CAO

9.3.3 Regular: as determined by the CAO.

10. **Right to disconnect:** The City respects provincial legislation relating to the “right to disconnect.” It is understood that there is no obligation for any member of the Administration to respond to non-emergency texts, emails or calls outside of normal business hours.

11. **Monitoring and Compliance:** The City Clerk shall be responsible for receiving complaints and/or concerns relating to this Policy. Upon receiving complaints regarding violations of this Policy the City Clerk shall:

- 1) in the case of a complaint concerning a member of the Administration, notify the CAO and the Director of People Services;
- 2) in the case of a complaint concerning the CAO, notify the Mayor; and,
- 3) in the case of a complaint involving an elected Member of Council, refer the complainant to the complaint process contained in the City of Markham Council Code of Conduct.

	Attachment A – Draft Councillor Request for Information or Service Policy	
	Policy Category: Governance	
<b>Approving Authority:</b> Council	<b>Effective Date:</b> TBD	
<b>Approved or Last Reviewed Date:</b> X, 2024	<b>Next Review Year:</b> 5 years from Last Reviewed Date	
<b>Area(s) this Policy applies to:</b> City-wide	<b>Owner Department(s):</b> Legislative Services	
<b>Related Policies:</b> <ul style="list-style-type: none"> <li>• Accountability &amp; Transparency Policy</li> <li>• Code of Ethics and Conduct: Applying to all Municipal Staff</li> <li>• Council Code of Conduct</li> <li>• Municipal Act</li> <li>• Municipal Freedom of Information and Protection of Privacy Act</li> <li>• Respect in the Workplace Policy</li> <li>• Routine Disclosure Policy</li> <li>• Staff Council Relations Policy</li> </ul>		

**Note: Questions about this Policy should be directed to the Owner Departments (see above).**

### 1. Purpose Statement

The purpose of this Policy is to promote transparency, accountability, and a respectful workplace. It provides Staff with guidelines on how to effectively respond to Councillor Requests for information and/or service. Additionally, this Policy offers Councillors clear instructions on how to obtain information from Staff to address community or resident concerns and make service requests.

### 2. Applicability and Scope Statement

This Policy governs the interaction of Staff, Members of Council, and their Offices when requests for information or service are received from Members of Council or their Offices by Staff.

### 3. Background

Pursuant to section 224 of the Municipal Act, it is the role of Council to:

- (a) represent the public and to consider the well-being and interests of the municipality;
- (b) develop and evaluate the policies and programs of the municipality;
- (c) determine which service the municipality provides;
- (d) ensure that administrative policies, practices and procedures and controllership policies, practices and procedures are in place to implement the decisions of council;
- (d.1) ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality;
- (e) maintain the financial integrity of the municipality; and,
- (f) carry out the duties of Council under this or any other Act.



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In accordance with the provisions of the Act, Council determines the policies, programs, and service levels to be provided by the City. The CAO, Commissioners, and Directors are responsible for implementing Council directives through their Staff. Staff take direction from the CAO, Commissioners, and Directors. To ensure the City conducts business in an efficient, accountable, and transparent manner, all Requests for information and service should be processed in accordance with the protocol outlined in this Policy.

Requests for information and/or service from the City should be processed in a fair and consistent manner. To preserve prosecutorial independence, Council and individual Members of Council, may not direct prosecutions, litigation, insurance claim resolution, or enforcement.

All Requests for information by a Councillor and their Offices should be directed to the appropriate Commissioner or Director processed in accordance with established routine disclosure practices, the Municipal Act, and the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA). In accordance with MFIPPA, Councillors are entitled to information that is available to the public or routinely disclosed or information that they require to carry out their legislated duties.

All Requests for service from a Councillor and their Office should be directed to and processed through the City's Contact Centre. The Contact Centre will direct the Request(s) to the appropriate department for response. Requests for service will be processed in priority sequence and will be tracked to ensure service levels are met.

### 4. Definitions

**"CAO"** means the Chief Administrative Officer of the City.

**"City"** means The Corporation of the City of Markham.

**"City Clerk"** means the City Clerk and Returning Officer of the City.

**"Commissioner"** means a Commissioner of the City.

**"Contact Centre"** mean the business unit whose role is the first point of contact of all requests from Staff, Public, Councillors and their Offices.

**"Consultants/Contractors"** means companies who are hired by Staff to perform a particular duty, and for clarity, includes anyone in receipt of financial compensation for service rendered.

**"Council"** means Council of the Corporation of the City.

**"Councillor"** means a Member of Markham City Council.

**"Director"** means an individual with responsibilities for a departmental business unit.

**"Information"** includes facts about a situation, person, event, etc.; data, knowledge and intelligence.

**"Offices"** means any Staff working with, for, or on behalf of a Member of Council.



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**“Request”** means an ask, via any means, for information or service from a Councillor or their Office made to a Member of Staff.

**“Routinely Disclosed Information”** means the regular or automatic disclosure of certain types of administrative and operational records in response to informal rather than formal requests under MFIPPA.

**“Service”** means the various public services and functions that the City of Markham provides to its residents.

**“Staff”** means an individual who is hired on a temporary or permanent basis for part-time or full-time work, including on a contract basis and includes a member of the Contact Centre.

### 5. Policy Statements

#### 5.1. GENERAL PROVISIONS

- 5.1.1 Staff will respond to Requests for Information and/or Service from Councillors in accordance with this Policy, including the City’s established routine disclosure practices and procedures and the Municipal Freedom of Information process.
- 5.1.2 All Staff will provide timely and accurate responses to Requests, subject to compliance with this Policy.
- 5.1.3 In accordance with the City’s governance structure, Council sets Policy objectives, and Staff implement the policies and establish procedures for the delivery of service.
- 5.1.4 All Requests for Routinely Disclosed Information by a Councillor and their Offices should be directed to the appropriate Supervisor or Manager to ensure they are processed in accordance with established routine disclosure practices and this Policy.
- 5.1.5 All requests for non-Routinely Disclosed Information by a Councillor or their Offices should be referred to the appropriate Director to be processed in accordance with the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) and this Policy.
- 5.1.6 All Requests for Service will be sent to the Contact Centre to ensure that all Requests for Service are tracked and handled in priority sequence, which will ensure efficient customer service practices.

#### 5.2. SPECIFIC PROVISIONS

Requests for Information will be processed as follows:

- 5.2.1 Councillors and their Offices are to direct Requests for Routinely Disclosed Information they have received from the public to the appropriate Supervisor or Manager for resolution after receiving the requestor’s consent.



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- 5.2.2 If the Supervisor or Manager receiving the Request for Routinely Disclosed Information determines the information being requested is not Routinely Disclosed Information, the Supervisor or Manager will escalate the request to their Director.
- 5.2.3 In the event that a Request for Information is not being resolved in an accurate or satisfactory manner, the Councillor and their Office may escalate the resolution of the Request for Routinely Disclosed Information to the appropriate Commissioner.
- 5.2.4 In accordance with the Municipal Freedom of Information and Protection of Privacy Act, Councillors and their Offices must file a Freedom of Information Request for information that would not be routinely disclosed to the public or is not required for a Councillor to perform their legislative duties.
- 5.2.5 The City Clerk, in consultation with the applicable Department(s), will make the final determination as to whether or not the requested Information is required by the Councillor to perform their legislative duties.

In accordance with this Policy, Requests for Service will be processed as follows:

- 5.2.6 Councillors and their Offices are to direct Requests for Service they have received from the public to the Contact Centre after receiving consent from the requestor.
- 5.2.7 The Contact Centre will send the Request for Service to the appropriate department for response.
- 5.2.8 Councillors and their Offices are to direct non-routine Requests for Service to the appropriate Director and/or Commissioner, depending on the nature of the matter.
- 5.2.9 If a Request for service involves a significant change to a Council-approved program, it will require escalation to a Director or Commissioner, or require a Council resolution for amendment.
- 5.2.10 When a Request of substantive administrative change or action affects multiple departments or is corporate in nature, the Commissioner responsible for the issue will lead the review and address the matter accordingly.

## 6 Roles and Responsibilities

### 6. Contact Centre Responsibilities

6.1 The Contact Centre is responsible for processing Requests for Service from Councillors and their Offices in accordance with this Policy.

- 6.1.1 When the Contact Centre receives a Request for Service from Councillors or their Offices, the Request will be logged and sent to the appropriate Staff to fulfill or respond to the Councillor.





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6.1.2 When the Contact Centre receives a Request for non-routine Service or action, requiring a substantive change in established procedures or service levels from Councillors or their Offices, the Contact Centre will direct the Request to the appropriate Director for response.

### 7. Staff Responsibilities

7.1 All Staff shall comply with the City's Code of Ethics and Conduct: Applying to all Municipal Staff, the Municipal Act, and the Municipal Freedom of Information and Protection of Privacy Act at all times during their interactions with Staff, Councillors, and their Offices. Staff give professional advice and implement Council's direction.

7.2 Staff are responsible for delivering public service and responding to inquiries from the public, Staff, and under the conditions of this Policy, from Councillors and their Offices in a timely and accurate manner.

7.3 Requests for Information will be processed in accordance with this Policy.

7.3.1 Should Staff receive a Request for Routinely Disclosed Information, from Councillors or their Offices, Staff should refer the Request to their Supervisor or Manager in accordance with this Policy.

7.3.2 If Staff receive a Request for non-Routinely Disclosed Information – including information that not generally available to members of the public, from Councillors or their Offices, Staff will direct the Request to their Director.

7.3.3 Should Staff receive a Request from Councillors of their Offices that should be addressed through a Freedom of Information request, Staff will advise the Councillor or their Offices to contact the City Clerk for assistance.

7.4 Requests for Service will be processed in accordance with this Policy.

7.4.1 When Staff receive a Request for non-routine Service or action, requiring a substantive change in established procedures or Service levels from Councillors or their Offices through the Contact Centre that is not routinely available to members of the public or legislatively required for the Member of Council to perform their duties, Staff will direct the request to their Director.

7.5 Managers and Supervisors are responsible for:

7.5.1 Following this Policy and responding to Requests for Service that may be referred to them by their Staff, the Director, or Commissioner.

7.5.2 Ensuring the Staff who report to them comply with this Policy, provide guidance and direction, as required, to their Staff and the Contact Centre, and provide or request access to training for their staff.



## Council Request for Information or Service Policy

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7.5.3 Communicating with their Director and/or Commissioner on the Requests for Service, as required.

7.6 Directors are responsible for:

7.6.1 Disclosing information in accordance with the City's Routine Disclosure Policy.

7.6.2 Following this Policy and responding to Requests for Information and/or Service that may be escalated or delegated to them by the Contact Centre, Staff, or Commissioner. Responses to any Councillor or their Office on non-routine, substantive change/action, or administrative change/action Requests will be copied to the relevant Managers.

7.6.3 Advising all Councillors that any Request for Service that would require a substantive change/action, or administrative change/action require a Council resolution.

7.6.4 Ensuring the Staff who report to them comply with this Policy, provide guidance and direction, as required, to their Staff and Contact Centre, and ensure appropriate training and communication are provided to their Staff within their department.

7.6.5 Communicating with their Commissioner, CAO, or ELT on the Requests for Information and/or Service, as required, including opportunities for the next update of this Policy.

7.7 Commissioners are responsible for:

7.7.1 Following this Policy and responding to Requests for Information and/or Service that may be escalated to them by their Staff, Councillors or their Offices. Responses to any Councillor or their Office on non-routine, substantive change/action, or administrative change/action Requests will be copied to the relevant Staff and to all Councillors to ensure the Information being circulated is made available to all Councillors.

7.7.2 Ensuring the Staff who report to them comply with this Policy, provide guidance and direction, as required, to their Staff, and ensure appropriate training and communication are provided to their Staff within their Commission and at a corporate level.

7.7.3 Addressing Requests of substantive change/action or administrative change/action that affect multiple departments or is corporate in nature through the CAO and ELT.

7.7.4 Advising all Councillors that any Request for Information and/or Service that would require a substantive change in established procedures or service levels will require a Council resolution.

7.7.5 Managing a positive and healthy working relationship with Councillors and their Offices and providing appropriate feedback on their compliance to this Policy.

7.8 CAO is responsible for:



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- 7.8.1 Following this Policy and responding to Requests for Information and/or Service that may be escalated to them by a Commissioner in cases where the Commissioner does not have the authority to issue a decision.
- 7.8.2 Advising all Councillors that any Request for Information and/or Service that would require a substantive change in established procedures or service levels will require a Council resolution.
- 7.8.3 Managing a positive and healthy working relationship with Councillors and their Offices and providing appropriate feedback on their compliance to this Policy.

### 8. Owner Department Responsibilities

8.1 Owner department is responsible for:

- 8.1.1 Creating, reviewing, and monitoring this Policy and making appropriate changes in future updates.
- 8.1.2 Executing training and communication plan to educate Staff, Councillors, and their Offices on their roles, responsibilities, and compliance with this Policy.

### 9. Members of Council and their Offices' Responsibilities

9.1 Members of Council and their Offices are responsible for:

- 9.1.1 Following the procedures outlined within this Policy when making Requests for Information and/or Service from Staff.
- 9.1.2 Ensuring all Requests for Information and/or Service are made through the appropriate channels, including submitting Requests Service through the Contact Centre to ensure proper tracking of all Requests received by Staff.
- 9.1.3 Making a Request for Information and/or Service that would require a substantive change in established procedures or service levels through a Council resolution.
- 9.1.4 Complying with the Municipal Act, and the Municipal Freedom of Information and Protection of Privacy Act, at all times during their interactions with Staff.

9.2 Members of Council are responsible for:

- 9.2.2 Complying with the Council Code of Conduct and the Municipal Conflict of Interest Act.



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