



Report to: General Committee

Meeting Date: July 9, 2024

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**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

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**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.

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**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**