

Municipal Governance

AMM

April 11, 2024



Wherever business takes you

MNP.ca



KINCENTRIC
Best Employer
CANADA 2019

Speaker



Kathryn Graham, MBA, CMC

Partner, MNP Consulting

- Began in governance over 30 years ago in a crown corporation
- Have provided governance consulting services to municipalities, municipal boards, provincial government, Regional Health Authorities, crown corporations, not-for-profit organizations and Indigenous organizations
- Recent experience includes Governance Reviews for the City of Winnipeg, the City of Victoria, and Edmonton Police Commission

Overview

- What is governance?
- Principles of effective governance
- Strategies to Support Effective Governance

Introduction

- Why talk about Municipal Governance?
- Legal obligations for municipal governance in MB are under *Municipal Act*, *Municipal Conflict of Interest Act*
 - AMM Council Members Guide – 2022
- Focus today is on processes and practices that enable Council to fulfill its obligations and meet citizen expectations for good governance

What is Governance?

- A critical role in the leadership, stewardship, and oversight of any organization.
- As democratically elected body, Municipal council also has a broader and more fundamental accountability to reflect and respond to the public interest
- Effective governance requires more than individual dedication and commitment It requires a system and processes
 - Informed, efficient, and democratic decision-making, and
 - Accountability and performance in the organization.

Municipal Governance is complex ...



Principles of Effective Governance



Accountability

Oversight - ongoing monitoring to ensure policies are implemented and resources are used as intended, and related reporting to the public.

Recourse - the means of correcting action or unintended impacts. Includes processes to investigate public complaints, protect whistleblowers, appeal of municipal decisions



Transparency

Open access to information on decisions, decision-making process, and the basis for or influences on decisions

Allows citizens to evaluate the quality of decisions and implementation and satisfy themselves as to the fairness of governance processes



Efficiency

Ensuring the best possible use of available resources

Streamlined governance processes that minimize duplication and overlap, with only deliberate redundancy.

Timeliness - a balancing factor for the time and resources needed for accountability, transparency, and inclusivity.



Effectiveness

Results meet agreed objectives.

Includes the systems and processes to evaluate performance of the organization.

Principles of Effective Governance



Inclusivity

The opportunity for citizens to provide input to decision-making processes

Degree to which Council deliberations reflect democratic process.



Impartiality

Fairness and objectivity in decision-making processes, without bias towards a particular interest.

Generally supported by codes of conduct that emphasize honesty, and impartial treatment

- Municipal Code of Conduct requirement, Municipal Conflict of Interest Act



Learning

Processes to build, maintain and strengthen the knowledge and skills of those charged with governance

Reflection on performance to identify opportunities for growth.

How decisions may be informed by both information and lessons learned from past experience

Strategies to Support Effective Governance

1. Invest in Council knowledge and capabilities
2. Proactively seek public input
3. Be strategic and selective
4. Agree to and uphold organizational values
5. Adopt a council-staff protocol
6. Align the organization with priorities
 - Services and service levels
 - Partnerships
 - Budgets
7. Maintain a focus on results

Invest in Council Knowledge and Capabilities

- Democratic process requires a common base of knowledge, ability to participate in decisions
- New council members cannot be expected to have an instant understanding or expertise in the municipality's governance
- Role clarity is critical to both effectiveness and accountability
- *Significant factor in challenges in relationship with administration, colleagues, public comments*

Orientation

- Role and responsibilities
- Relationship with administration
- Code of Conduct and Values
- Council processes
- Existing municipal plans and budgets, performance
- Regulatory environment
- Community profile
- Community engagement processes

Ongoing learning

- Effective governance practices and processes
- Understanding municipal operations, risks
- Background on strategic and policy issues
- Changes in regulatory environment

Examples of Contemporary Practice



City of Kelowna has evolved from an overview of city departments to more emphasis on Council responsibilities and now includes a full day session with a municipal governance expert as well as a second day with senior management on governance processes



Regional Municipality of Halifax holds an update session 6 months into the term of Council



City of Regina uses the Saskatchewan Council Members' handbook, which includes a link to the Municipal Leadership Development Program



Vancouver, Halifax and Regina have developed specific guidance regarding the distinction between Council and Administration roles

Proactively Seek Public Input

- **Inclusivity** requires the opportunity for citizens to provide input to decision-making processes.
- Effective engagement processes also increase understanding, **transparency**
- Helps understand impact, potential unintended consequences, improving the quality and **effectiveness** of decisions
- Allows Council to fulfill its broader and more fundamental accountability to reflect and respond to the public interest
- *Advance opportunities for input tend to decrease backlash to Council decisions*

Enabling policies and practices

- Public engagement policy
 - What, when, how, how will use information
- Advance notice of key issues to come before Council, e.g. in Strategic Plan
- Accessible processes for delegations to Council
- Open as the default

Leading Practice

- **Authentic, Accountable Processes:** IAP2 principle that *everyone has the right to be involved in decisions that will affect their life.*
- Authentic and accountable engagement processes foster trust.
 - Sincere interest in listening to public input and being prepared to act on it
 - Setting realistic expectations on how the input will be used
 - Communicating back what was heard and related outcomes.
- **Inclusive Engagement** reflects the diversity of the communities that may be impacted by a decision.
 - Plan early to proactively seek diverse input
 - Dedicate time and resources to build respectful, reciprocal and collaborative relationships
 - Co-create mutually beneficial and accessible engagement processes, and
 - Tailor engagement plans and materials

Examples of Contemporary Practice

Calgary, Edmonton, Toronto, Hamilton, Ottawa, Halifax, Winnipeg



Most reference IAP2 core values for public engagement. Alberta *Municipal Government Act* requires municipalities to have a public engagement policy. All have an online public engagement web page where people can access information on current and past engagement opportunities, online tools and reports



Most cities post agendas and materials 3-5 days before a meeting. Edmonton posts agendas 10 days before the meeting.



Most cities hear delegations as the agenda item is dealt with. Presentations from delegations are heard after the Administration has presented its report, and Council has asked its questions.



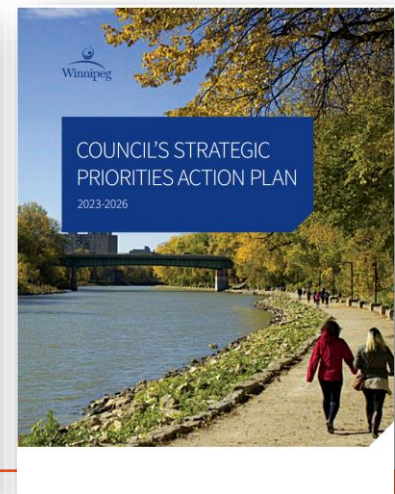
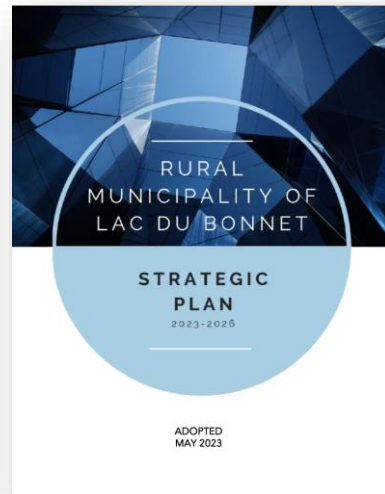
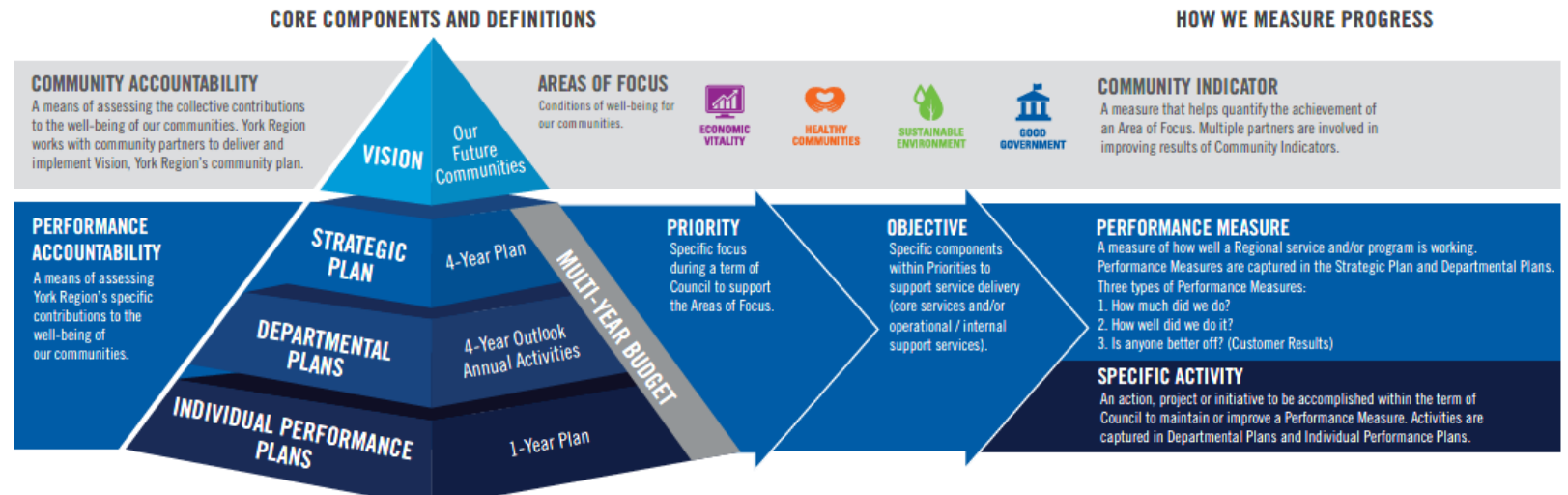
Delegations often limited to matters on the Agenda. Halifax invites the public to make presentations on any matter within a committee's jurisdiction (maximum of 2, 10 min presentations per meeting). Halifax also has an open period at the end of each meeting for the public to provide comment to Councillors

Strategic & Selective

- *Municipalities face unlimited demands with distinctly limited resources*
- Council must choose how best to allocate scarce resources
- Most recognize the value of big picture, future focus
 - In reality, day to day pressures often take over
- Understanding risks is key
 - Mission, as well as money
- Structured strategic planning process to consider major issues and risks, identify priorities
- *Needs information*
 - Current state of municipality, community, context
- Shortly after every election, to **agree on priorities**, enable focus on those results
 - Focus future Council agendas
 - Evaluate services and service levels
 - Understand risks

Examples of Contemporary Practice

- More municipalities are developing, publishing and maintaining strategic plans
- *York Region's* Accountability Framework aligns the Strategic Plan, Multi-Year Budget, Departmental Plans and Individual Performance Plans
- Won the 2023 Goodman Award for Excellence in Strategy



Agree to and Uphold Values

- Council behaviour, ethics, conflict and civility frequent features in media

Politicians behaving badly: Rash of rudeness marks fading sense of civility in government

Rise of the rude: Public service executives urge 'civility' policy

- It's hard to work with colleagues when there is a lack of trust or respect
- Public confidence is undermined
- Public service morale is damaged
- Municipal governance is less effective

- **Every city official** has the responsibility to ensure basic respect, including those with whom you disagree
- Open, fair and considerate environment is crucial to effectiveness
- Agreeing as municipal council on the values that will guide interactions with staff, the public and each other can be a powerful tool
- *Much easier before conflict arises*

Examples of Contemporary Practice



The following values describe our leadership principles and guide our decision making, relationships and service to our community:

- P**ride and passion of community
- E**thics, respect, and integrity
- O**pen, accountable governance and communications
- P**roductive and professional environment
- L**eadership, teamwork, and collaboration
- E**nvironmental sustainability

Lac du Bonnet Strategic Plan

We envision
**strong,
caring,
safe communities**
through our mission of
**working together to serve
our thriving communities
– today and tomorrow**
by relying on our values of
**Integrity
Commitment
Accountability
Respect
Excellence**

YORK REGION

VALUES

1. Integrity
2. Sustainable
3. Transparency
4. Quality of Life
5. Growth
6. Teamwork

Town of Swan River Strategic Plan

Council – Staff Protocol

"It is hard to imagine a well-governed municipality without councillors and staff who understand, and agree upon, their respective roles, and who operate in an atmosphere of mutual trust and respect"

Tindal & Tindal, Guide to Good Municipal Governance

- In reality, avoiding conflict and effective collaboration is a major challenge
- Councillors often feel pressure from constituents to become involved in day-to-day matters
 - *Can* represent views and concerns, promote policies
 - *Do not* have any authority to give direction to staff, though they often do
- Political neutrality of staff is important to enable honest, unbiased advice - critical to sound decisions and public confidence
 - A tendency to 'shoot the messenger'
 - Ask questions until have all information needed; not achieved by publicly criticizing staff

Examples of Contemporary Practice

Vancouver, Halifax and Regina have developed specific guidance regarding the distinction between Council and Administration roles

- The Halifax Regional Municipality Charter, specifies that Council shall communicate with the employees of the municipality solely through the Chief Administrative Officer, except to receive or provide information.

The *Ontario Municipal Councillor's Guide* includes guidance on Council-staff relationship and roles

- *"The relationship between council and staff is intertwined and it is important for council members and staff to respect each other's roles so they can serve the public in an effective and efficient manner"*
- Municipalities are required to adopt a policy on the relationship between members of council and municipal staff

The City of Calgary and the City of Regina have by-law provisions regarding information requests from members of Council

- Requires a council vote to proceed with inquiries that will require more than a nominal use of resources

Examples of Contemporary Practice

Burlington, ON Code of Practice details expectations for how Council will (and will not) interact with staff

(excerpts)

- Councillors shall be respectful of the tradition that staff are expected to make recommendations ... that reflect professional and corporate management, judgement and opinions, and that are not unduly influenced by any single member of council
- Elected representatives do not have any role in the day-to-day business of the organization
- While council members are free to discuss clarification of staff reports and related information with the authors of such reports, the chain of command is to be respected so that all members of staff and council are treated equitably and without favouritism
- Priorities and timelines must be respected. Staff will spend time on larger assignments only as directed by council

Summary

- Effective municipal governance is not easy, but it is important
- Effective processes and practices can help achieve results, make the experience more positive
- Top Five Practices
 1. Invest in Council knowledge and capabilities
 2. Proactively seek public input
 3. Be strategic and selective
 4. Agree to and uphold organizational values
 5. Adopt a council-staff protocol

Principles of Effective Municipal Governance

- *Accountability*
- *Efficiency*
- *Effectiveness*
- *Transparency*
- *Inclusiveness*
- *Impartiality*