



GOVERNANCE BEST PRACTICES

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OVERVIEW

- Role of the local government
- Types of council meetings
- Governance-definition
- Roles, responsibilities & relationships
- Governance toolkit
- Important considerations
- Key messages

ROLE OF THE LOCAL GOVERNMENT

One of the purposes of a local government is:

“...to provide services, facilities or things the council considers necessary or desirable for all or part of the local government...”

Extract from the Local Governance Act:

Municipal purposes

5. The purposes of a local government are:

- a) to provide good government,*
- b) to provide services, facilities or things the council considers necessary or desirable for all or part of the local government,*
- c) to develop and maintain safe and viable communities, and*
- d) to foster the economic, social and environmental well-being of its community.*

TYPES OF COUNCIL MEETINGS

Permitted meetings as per *Local Governance Act*:

- Regular council meetings (specific date)
- Special council meetings (with notification as per Procedural By-law)
- Standing committee meetings

(these meetings can be subject to closed session for matters as per subsection 68(1) of the Act)

OPEN / CLOSED

Open meetings – section 67

- a) All regular & special meetings of a council shall be open to the public; and
- b) All meetings of a committee of council shall be open to the public.

Closed meetings – section 68

Meeting may be closed to the public for topics listed in that section dealing with confidential matters, legal, labour & employment, solicitor privileged, and other specific issues.

If a meeting is closed to the public, no decision shall be made at the meeting except for decisions related to:

- Procedural matters
- Directions to an officer or employee of the local government
- Directions to a solicitor for the local government

Record containing only the following information:

- Type of matter discussed during meeting
- Date of the meeting

TYPES OF COUNCIL MEETINGS

Meetings not permitted as per *Local Governance Act*.

- Information sessions/meetings
- Individual discussions between members of Council to discuss local government matters to establish direction prior to public sessions..
- Private council gatherings with or without staff (remove group think potential)

GOVERNANCE

Responsibilities include:

- Leadership
- Stewardship
- Oversight of the business and affairs

ROLES, RESPONSIBILITIES & RELATIONSHIPS

- **Elected Official**

- Decision making
- Consider relevant information
- Evaluate options & alternatives
- Ask questions
- Give directions through Chief Administrative Officer (CAO) or senior officials
- **NIFO principle (noses in, fingers out)**

- **Senior Management**

- Prepare background information
- Present unbiased options & alternatives
- Recommend preferred course of action with pros/cons
- Implement Council decisions

ROLES, RESPONSIBILITIES & RELATIONSHIPS

What is the role of the Mayor?

- Preside at all meetings of the council
- Provide leadership to the council
- Communicate information and recommend actions
- Speak on issues of concern to the community
- Subject to the direction and control of the council and shall abide by the decisions of the council

ROLES, RESPONSIBILITIES & RELATIONSHIPS

How is a Deputy Mayor selected?

- The Procedural By-law shall state the manner in which a deputy mayor is elected

What are the duties of a Deputy Mayor?

- In the absence of the mayor, the deputy mayor has all powers and duties of the mayor

ROLES, RESPONSIBILITIES & RELATIONSHIPS

What is the role of a Councillor?

- Considers whole of community
- Brings issues to the table
- Develops and evaluates policies, by-laws
- Attends Council and committee meetings
- Other duties assigned

ROLES, RESPONSIBILITIES & RELATIONSHIPS

What are some of the Councillor's duties?

- Regular attendance at all council meetings
- Participating in the annual budget process
- Setting policy direction for the community
- Representing the best interests of the entire community

ROLES, RESPONSIBILITIES & RELATIONSHIPS

What is the role of the Clerk?

- Position of clerk is much more than the name implies and is a position required by the *Local Governance Act* for every local government. If there is no clerk in place, a council cannot meet and make decisions
- Numerous provisions in legislation assign a variety of tasks and responsibilities to the clerk, such as:
 - Must attend all meetings of council
 - Record who is present, the resolutions, decisions & proceedings

ROLES, RESPONSIBILITIES & RELATIONSHIPS

What is the role of the Clerk?

- Keep the books, documents and records of the council and the originals of all by-laws and resolutions
- Custodian of the corporate seal
- Maintains an indexed register
- Signs agreements, contracts and other documents the local government is a party to (along with mayor)

ROLES, RESPONSIBILITIES & RELATIONSHIPS

What is the role of Chief Administrative Officer?

- A council may appoint a chief administrative officer (CAO)
- The CAO has the duties and powers that the council prescribes by by-law or resolution such as:
 - Head of administration

CAO is responsible for directing a team of department heads, supervisors, technicians and support staff in order to manage the affairs of the local government and to deliver services

ROLES, RESPONSIBILITIES & RELATIONSHIPS

What are some sample relationship problem areas?

- Misunderstanding of each other's role
- Unclear understanding of operating structure
- Tensions between council and CAO/clerk, between council members
- Misunderstanding on who speaks on behalf of council
- Mayor and/or individual councillors making decisions or statements that have not been sanctioned by council
- Poor communication
- Lack of trust/respect
- Lack of identifiable goals/vision for community

ROLES, RESPONSIBILITIES & RELATIONSHIPS

What is important to Council ... and to Staff (Council's perspective)

- Understanding of direction, clear goals
- Policy guidelines, parameters for discretionary action
- Clear, rational structure and reporting relationships
- Feedback on performance
- Self-development, self-expression
- Adequate, realistic compensation
- Job satisfaction
- Time to recharge batteries

ROLES, RESPONSIBILITIES & RELATIONSHIPS

Suggestions for CAOs/clerks to strengthen the Council-Administration Relationship

(Staff's perspective)

- Recognition of the role of the elected official
- Be ready for potential changes
- Be accessible to council members
- Follow up on all matters raised by council
- The importance of neutrality

GOVERNANCE TOOLKIT

EFFECTIVENESS

- Hindsight
 - Reviewing minutes
 - Committee reports
- Oversight
 - Reviewing current financial position
 - Monitoring a capital project
- Foresight
 - Strategic planning
 - 5-year capital planning

GOVERNANCE TOOLKIT

TRANSPARENCY

- Open debate in public meeting
- Discuss basis of decision and rationale
- Inform public by using conventional media and social media
- Limit matters that are discussed in closed session

GOVERNANCE TOOLKIT

SETTING THE COUNCIL AGENDA

- Putting together an annual work plan of items to be addressed by Council
- Determining the time allocation for items on the agenda
- Allowing delegations and establishing the rules of order

GOVERNANCE TOOLKIT

STRATEGIC THINKING

- Strategic planning (Vision, Mission, Values)
- 5-10 year capital investment strategy
- Communication planning
- Project management planning
- Human resources planning
- Transportation planning

GOVERNANCE TOOLKIT

COMMUNICATION

- **Establish clear communication lines**
 - Who is spokesperson? On decisions of council, on administrative matters, on technical issues
- **Communication plan**
 - The who? The what? The how?
 - What is our common message?
- **Develop formal communication approaches**
 - Verbal, Written, Internal (formal/informal)
 - Media training requirement

GOVERNANCE TOOLKIT

DECISION MAKING APPROACHES

- Based on approved values (vision/mission)
- Respecting beliefs/values of the organization
- Consistent with operating principles, procedural by-law
- Within the powers conferred to Council under the *Local Governance Act*

GOVERNANCE TOOLKIT

TYPICAL DECISIONS OF COUNCILS

- **Resolution**
 - Borrowing application
 - Budget approval
 - Awarding of tenders
- **By-law making**
 - Regulating (zoning, animal control, heritage, noise, etc.)
 - Establishing fee structures (recreational)

GOVERNANCE TOOLKIT

ROLE OF THE CHAIR

- Chair owns the process, the members own the outcome
- Recognizing a speaker on the issue
- Keeping discussions civil
- Following procedural by-law and rules of order (Robert's Rules, Code Morin, etc.)
- Taking motion and calling for the vote

GOVERNANCE TOOLKIT

COMMITTEE EFFECTIVENESS

- Work with clear mandate
- Have a strong chairperson
- Apply code of conduct
- Establish governance policies & procedures
- Maintaining positive work relationships with staff

GOVERNANCE TOOLKIT

CODE OF CONDUCT

- Local governments are required to adopt a by-law establishing a code of conduct for members of council
- The matters to be included in the code of conduct are prescribed in the code of conduct regulation

GOVERNANCE TOOLKIT

PROFESSIONAL CONDUCT AT MEETINGS

- Establishing ground rules
 - One person speaks at a time
 - Start on time, finish on time
 - Turn off cell phones during meeting
 - Usage of social media
 - Arrive with positive attitude
 - Limit side conversations
 - Listen to other points of view
 - No threats or rude comments to one another

GOVERNANCE TOOLKIT

GOVERNANCE IN WORKPLACE – TYPICAL POLICIES & PROCEDURES

- Governance culture
 - Travel policy
 - Conflict of interest
 - Code of conduct
- Council/CAO relationship
 - Authority
 - Delegation
 - Responsibility

GOVERNANCE TOOLKIT

GOVERNANCE IN WORKPLACE – TYPICAL POLICIES & PROCEDURES

- Operational
 - Communication
 - Financial administration
 - Temporary replacement of senior officers
 - Succession planning
- Results
 - Training & operational development
 - Character

IMPORTANT CONSIDERATIONS

CONFIDENTIALITY

- Encourage and foster open and candid discussion
- Open meetings to the public
- Keep confidential any and all information relating to discussions at closed meetings including any and all materials (e.g. correspondence, reports, etc.) unless compelled by legal process to disclose

IMPORTANT CONSIDERATIONS

AVOIDING GROUP THINK

- Based on research study (5 monkeys)
- To avoid group think:
 - Study material provided ahead of meeting
 - Form your own preliminary ethical opinion
 - Ask questions, inquire, get options/alternatives
 - Don't get persuaded before getting presented facts
 - Apply your due diligence

IMPORTANT CONSIDERATIONS

SOCIAL MEDIA



- Policies & procedures
- Personal account vs political profile

IMPORTANT CONSIDERATIONS

REPUTATIONAL RISKS

- Impact on community if the following actions would happen in your local government:
 - A council member is accused of inappropriate conduct during their tenure
 - A senior manager makes a bad decision outside of their working hours, within the community
 - A member of a board of directors appointed by municipal council gets in trouble with the law
 - Etc...

KEY MESSAGES

REPUTATION

- Positive reputation = TRUST
- Council/Senior Management responsible for setting TONE AT THE TOP
- Ethical decision-making
 - Is this decision legal?
 - Would I be embarrassed if this decision made the front page of newspaper?
 - Is it unfair to someone?

KEY MESSAGES

- Establish good & effective communications (internal & external)
- Respect & trust are key to a good working relationship
- Avoid Group Think
- Be transparent & accountable
- A good reputation = public trust
- Good policies & procedures eliminate confusion
- Engaging citizens in process of local government





Merci • Thank You

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