

Council Policy No.:	CP2021-031 (formerly CP2018-017)
Council Policy Name:	Council Committee, Board and Task Force Policy
Date Approved by Council:	December 11, 2018
Date revision approved by Council:	April 20 2021 CW2021-095/CR2021-195
Related SOP, Management Directive, Council Policy, Forms	CP2018-018 – Code of Conduct and Ethics (Members of Committees/Boards/Task Forces)

Policy Statement and Rationale:

The City appoints citizens from the municipality to Council Committees, Boards and Task Forces to review and recommend actions to Council to advance various issues relating to the municipality. It is recognized that Committees, Boards and Task Forces are vital to informing and supporting City Council in accomplishing the City’s strategic goals and priorities. It is further recognized that appointed volunteer members of these Committees, Boards and Task Forces bring valuable community knowledge, experience and information, and are committed community stakeholders and ambassadors. This policy establishes the process for appointments, defines the volunteer appointee’s roles and responsibilities, and establishes how they conduct business for the betterment of the municipality.

Scope:

This policy applies to all Council Committees, Boards and Task Forces created and approved by Council and their working groups. Where a Council Committee or Board is legislated, the provisions of the governing legislation shall take precedence over this policy.

Definitions:

“City”, “City of Kawartha Lakes” or “Kawartha Lakes” means The Corporation of the City of Kawartha Lakes and includes its entire geographic area;

"City Clerk" means the person appointed by Council to carry out the duties of the clerk described in section 228 of the Municipal Act, 2001;

“Committee” means any Council Committee/Board/Task Force which is advisory in nature and/or mandate specific and is:

1. Established by Council through resolution or by-law; or
2. Created by another level of government (with jurisdiction), providing the right to Council to appoint one or more persons to it, who are not members of Council.

“Council” or “City Council” means the municipal council for the City;

“Director” means the person who holds that position and his or her delegate(s) or, in the event of organizational changes, another person designated by Council.

“Interview Team” means a team composed of three (3) members to review applications and make the recommendation to Council on the Committee/Board/Task Force appointments. The team shall include a minimum of one Member of Council and may include members of staff and/or the Committee/Board/Task Force Chair.

“Person” means a human individual. For the purposes of this policy, the term does not include “artificial” persons recognized by law (for example, Corporations).

Policy:

1. Volunteer Appointments

1.1 In addition to any other qualification requirements established by legislation, resolution or by City policy, any persons appointed to a Committee/Board/Task Force must be:

- i) A resident of the City (own, rent, live in shared accommodation where you do not pay rent or live in the municipality with no fixed address); or
- ii) An owner of property in the City or a person who rents property in the City, or the spouse of the above; and
- iii) at least eighteen years of age; and
- iv) a Canadian citizen or a permanent resident of Canada.

except where:

- The Interview Team recommends the appointment of one or more person(s) to a Committee/Board/Task Force and declares the exception in the recommendation to Council.

- The Committee/Board/Task Force composition, as per the Committee/Board/Task Force Terms of Reference, includes members from specified organizations where the names of those members are to be provided by the organization along with any designated alternates.
- Permitted as per the Council approved Terms of Reference for the Committee/Board/Task Force.

1.2 Notwithstanding Section 1.1, the following persons are ineligible for appointment to the City's Committee/Board/Task Forces as a Public Appointee:

- i) current members of the Council (with the exceptions of statutory requirements and ex officio positions);
- ii) current trustees of the Trillium Lakelands District School Board or the Peterborough, Victoria, Northumberland, Clarington Catholic District School Board who have direct association/affiliation with the service/facility in question;
- iii) current City employees who have direct association/affiliation with the service/facility in question;
- iv) any person who may have an actual or perceived (in the opinion of the Interview Team) conflict of interest with the purposes of the Committee/Board/Task Force in question due to his or her employment or otherwise; or
- v) any person who is in litigation or potential litigation with the municipality.

1.03 Council may assign staff persons to Committee/Board/Task Forces in liaison or record-keeping roles. No City employees may participate in voting that may occur on Committee/Board/Task Forces unless they have been appointed as a Committee/Board/Task Force member.

1.04 Given the time commitment required by members of Committee/Board/Task Forces, no person shall serve as a member of more than three (3) Committee/Board/Task Forces during the same time period, without approval of Council.

2. Terms of Reference

2.1 The Terms of Reference of any Committee/Board/Task Force shall be developed using the templates as attached to this policy as Appendix A – Committee/Board Terms of Reference Template and Appendix B – Task Force Terms of Reference Template.

- 2.2 The City Clerk has authority to modify the Terms of Reference templates, attached to this policy as Appendix A – Committee/Board Terms of Reference Template and Appendix B – Task Force Terms of Reference Template, as may be required.
- 2.3 Any responsibilities not clearly identified within a Committee/Board/Task Force Terms of Reference shall be the responsibility of the City of Kawartha Lakes. Council may, at its discretion, change the Terms of Reference for a Committee/Board/Task Force at any time. Any changes proposed to these Terms of Reference by the Committee/Board/Task Force shall be recommended to Council via the liaison department identified within the Terms of Reference through a report to Council.
- 2.4 At the discretion of Council, any Committee/Board/Task Force may be dissolved by resolution of Council. No prior notice is required.

3. Code of Conduct for Committee/Board/Task Force Appointees

- 3.1 All volunteer appointees to Committee/Board/Task Forces shall adhere to the City Code of Conduct for Committee/Board/Task Force and Members as approved by Council.

4. Advertising for Vacancies

- 4.1 The City Clerk will, if required, advertise during the last quarter of the calendar year for all vacancies to be filled through appointments of persons to Committee/Board/Task Forces of the City.
- 4.2 Advertisement(s) shall list the name(s) of the Committee/Board/Task Force(s) and any particular qualification requirements for membership.
- 4.3 Persons wishing to fill advertised vacancies on Committee/Board/Task Forces of the City must submit to the City Clerk, in writing, an application except as outlined in Section 4.4. The application shall be on a form supplied by the City Clerk's office. No consideration will be given to filling vacancies unless a written application is received. Supplemental resumes are encouraged, but are not required. Application forms and attached resumes are considered confidential and shall only be used for their intended purpose of selecting members to the specified Committee/Board/Task Force.
- 4.4 Any person who is a current appointee to any Committee/Board/Task Force and remains qualified to be a citizen appointee, can reapply by submitting a letter indicating their intention to reapply. Nothing prevents an incumbent from applying using the application form if they choose.

- 4.5 The City Clerk's Office shall receive and distribute all applications received in response to an advertisement for vacancies on Committee/Board/Task Forces. Copies of all applications shall be sent to the Director and Executive Assistant of the responsible department.
- 4.6 The Director or designate shall make the City Clerk aware of any vacancies on Committee/Board/Task Forces that arise throughout the calendar year. The City Clerk may, if required, advertise at any time throughout the calendar year in order to fill such vacancies on Committee/Board/Task Forces.
- 4.7 Alternatively, the Director or designate may review the applications received when the position was most recently advertised and recommend a person to fill the vacancy to the Committee/Board/Task Force. If there are no applications in the file then the Director shall ask the Committee/Board/Task Force, through the chair, to nominate a single candidate for the position. Upon receipt of written acceptance of the nomination, the candidate shall be recommended to Council for appointment via a written confidential report.
- 4.8 Where for any reason it is impossible to fill a Committee/Board/Task Force vacancy, Council may approve an amendment to the terms of reference for the Committee/Board/Task Force to allow for a smaller membership number or to alter quorum rules, as required, or the Council may approve circumstances allowing the position to remain vacant for the balance of the term.
- 4.9 In all cases, persons appointed to fill a vacancy on a Committee/Board/Task Force shall assume the remainder of the Term of the member whose vacancy is being filled.

5. Interview, Selection and Appointment Process

- 5.1 The Director or designate, upon receipt of applications from the City Clerk's Office, shall arrange an interview team to consist of three (3) members. Whenever possible, any member(s) of Council appointed as the Council representative to the Committee/Board/Task Force shall form part of the interview team.
- 5.2 The Director or designate shall arrange a meeting of the Interview Team to review the applications and decide whether there is a sufficient number of qualified candidates, or if a further notice and advertisement is required, or to decide if interviews are required and how many candidates will be interviewed, or if a recommendation will be made to Council without interviews.
- 5.3 If interviews are required, the Director or designate shall arrange a meeting of the Interview Team to conduct the interviews with the applicants.

- 5.4 The Director or designate shall advise all selected applicants of the time and place of the interview.
- 5.5 The Interview Team will give fair and equal consideration to the qualifications, abilities and civic interest of all persons who have applied who meet the qualifications of the office when considering appointments to Committee/Board/Task Forces.
- 5.6 Interviews of the applicants to a Committee/Board/Task Force will be dealt with individually by the Interview Team. After interviews, the Director or designate will call the members of the Interview Team to a vote. The Director shall advise the Interview Team of those citizen candidates receiving the greatest number of recommending votes. The Interview Team will recommend the selected candidates to Council for appointment to the said Committee/Board/Task Force. The number of candidates recommended shall not exceed, but may be fewer than, the number of vacancies to be filled.
- 5.7 A confidential written report from the Director or designate will be presented in closed session at a Regular Council Meeting to bring forward the recommendations of the Interview Team, together with a list of all the names submitted for the vacancies and a brief explanation of each applicant interviewed. Council may choose to accept any of the Interview Team's recommendations, or it may choose to appoint an applicant not recommended by the Interview Team. Council shall not appoint a person who was not considered by the Interview Team. The final appointment resolution shall be made in open session of Council.
- 5.8 The City Clerk's Office shall retain all applications received for vacancies on Committee/Board/Task Forces in accordance with the City's Records Retention By-law.

6. Expulsion of a Member

- 6.1 Any member of the Committee/Board/Task Force, who misses three consecutive formal business meetings, without being excused by the Committee/Board/Task Force, may be removed from the Committee/Board/Task Force.
- 6.2 The Committee/Board/Task Force may recommend to Council the expulsion of a member or Council may remove a member for reasons including, but not limited to, the member being in contravention of the Municipal Act, the Municipal Freedom of Information and Protections of Privacy Act, the Provincial Offences Act, the Municipal Conflict of Interest Act; the Code of Conduct and Ethics for Members of Committees, Boards and Task Forces; disrupting the work of the Committee/Board/Task Force or other legal issues. Recommendations from a

Committee/Board/Task Force regarding expulsion of a member shall be directed to the Clerk.

- 6.3 Any Member, staff, Council member, Council, or a member of the public has the right to identify any alleged non-compliance to the Code of Conduct and Ethics – Members of Committees, Boards & Task Forces. The individual shall bring the matter forward to the Clerk.
- 6.4 A recommendation to Council to terminate a Member for reasons based on an accusation of alleged policy contraventions (other than uncontested vacation of his/her seat) not be considered unless the accused Member has been provided notice of the recommendation, including supporting documentation (the “Notice”).
- 6.5 The Notice must state both the recommendation to Council and the reasons advanced in support of the recommendation.
- 6.6 That the Notice be sent by the Clerk directly to the accused Member by email with “read receipt”, registered mail, or facsimile, and received at least 7 days prior to the Closed meeting of Council at which the complaint is to be presented.
- 6.7 That the accused Member be entitled to forward a written response to the Clerk within 7 days of receipt of Notice.
- 6.8 That, after the period for the accused Member to reply has expired, the Clerk to provide Council with details of the Notice to terminate and any written response received and place it on the closed session agenda of the next scheduled regular Council meeting.
- 6.9 Council has the sole discretion to terminate any City Committee/Board/Task Force member.

7.0 Attachments:

Appendix A – Committee/Board Terms of Reference Template

Appendix B – Task Force Terms of Reference Template

Revision History:

Proposed Date of Review:

Revision	Date	Description of Changes	Requested By
0.0	01/20/2021	Updated Policy Template	
1.0	April 20, 2021	Updated Policy Number	