



CULTUS LAKE PARK

Board Policy

**BOARD - STAFF PROTOCOL
POLICY**

APPROVALS

Approved and Adopted: January 18, 2017	Approved and Adopted : Cultus Lake Park Board
Amended:	Approved by: Cultus Lake Park Board
Amended:	Approved by: Cultus Lake Park Board

1.0 PURPOSE

The purpose of this policy is to adopt a Board – Staff Protocol Policy. This policy will outline the roles and working relationship of the Park Board and Staff in order to enhance good local government governance. Effective Board – Staff relations ensures that both can achieve the joint mission of responding to the needs of the community in a timely and effective manner through respectful partnership and collaboration working together as a solution-oriented team. This policy will provide guidance on the appropriate level and form of interaction between individual Board Commissioners and Staff.

2.0 ROLES

Defining roles is an important step. By agreeing upon respective roles this will avoid overlap, conflict and ensure effective collaboration. A good understanding of the different roles will contribute to good governance and public service delivery.

According to the *Cultus Lake Park Act* the Board of Commissioners is the official law-making body as “constitute as hereinafter provided and shall have the regulation, management, maintenance, and improvement of Cultus Lake Park.”

Although Cultus Lake Park is not bound by Provincial laws that govern municipalities, the Park does as a general rule conduct the business of the Park using the *Local Government Act* and the *Community Charter*. Contained in the *Community Charter*, Sections 114-116 and 146-153 is the statutory bases for the roles of the Council, Mayor and Chief Administrative Officer (CAO). These descriptions can be used as a guide for the roles of Board Commissioners, Board Chair and the CAO.

In addition, there is a Board Policy on “Board Committee System Policy”. This policy is consistent with the Sections 141 and 142 of the *Community Charter*, with respect to the appointments to Standing and Select Committee.

Role of Board Commissioners

Using the *Community Charter* as our guide, the role of the Board Commissioners can be aligned with the role of council members and are outlined in Section 115 as follows:

Every council member has the following responsibilities:

- (a) To consider the well-being and interest of the municipality and its community;
- (b) To contribute to the development and evaluation of the policies and programs of the municipality respecting its services and other activities;
- (c) To participate in council meetings, committee meetings and meetings of other bodies to which the member is appointed;
- (d) To carry out other duties assigned by the council;
- (e) To carry out other duties assigned under this or any other Act.

Expanding more broadly on the role:

- Represent the community;
- Govern collegially;
- Strategic planning for the whole community;
- Determine services to be provided;
- Build consensus;
- Represent the Board's interests;
- Maintain the community's best interest;
- Ensure board decisions are implemented;
- Maintain the Park's financial integrity;
- Managing the relationship with, and employment of, the CAO; and
- The CAO reports directly to the Board and functions under a "one employee model".

Role of the Board Chair

Using the *Community Charter* as a guide, for the role of the Board Chair, Section 116 outlines the responsibility of the Mayor as follows:

- (1) The Mayor is the head and chief executive officer of the municipality;
- (2) In addition to the Mayor's responsibilities as member of council, the Mayor has the following responsibilities:
 - (a) To provide leadership to the council, including by recommending bylaws, resolution and other measures that, in the mayor's opinion, may assist the peace, order and good government of the municipality;
 - (b) To communicate information to the council;
 - (c) To preside at council meetings when in attendance;
 - (d) To provide on behalf of the council, general direction to municipal officers respecting implementation of municipal policies, programs and other directions of the council;
 - (e) To establish standing committees in accordance with section 141; and
 - (f) To suspend municipal officer and employees in accordance with section 151;
 - (g) To reflect the will of council and to carry out other duties on behalf of the council;
 - (h) To carry out other duties assigned under this or any other Act.

To expand more broadly on this role:

- Chairs all Board Meetings; consensus-seeker on behalf of all members.
- Appointment of members of the Board to the committees and Board-liaison positions on external agencies, boards and committees.
- Brief Board members on all meetings and correspondence.
- Liaison with the CAO.
- Key linkage and spokesperson to other levels of government.
- Spokesperson for the decisions of the Board, both internally and externally, expresses the "will of the Board".
- Act in an *ex officio* capacity to Board committees.
- Main spokesperson to other levels of government.

Role of Chief Administrative Officer

Section 147 of the *Community Charter* outlines the role of the CAO as follows:

- (a) Overall management of the operations of the municipality;
- (b) Ensuring that the policies, programs and other directions of the council are implemented;
- (c) Advising and informing the council on the operation and affairs of the municipality.

More broadly the role of CAO can be further defined as:

- The administration is the responsibility of the CAO. Responsibilities include hiring, managing, directing and dismissing staff and for all other issues that relate to Park staff.
- Acts as a professional advisor to the Board.
- Manages and identifies the means for achieving the Board's goals and outcomes.
- Provides appropriate follow-up to Board inquiries.
- Directs the work of staff to provide timely reports to the Board outlining factors that will assist in the Board's decision making;
- Provides well-researched opinions on the key issues and apolitical advice on how such issues should be handled.
- Holds staff accountable on the Board's behalf for implementing the Board's policies and directives.
- Provides positive administrative leadership.
- Establishes a sound team atmosphere for all members of staff.
- Promotes an interdependent system, with teamwork evident between business units.
- Encouraging staff to come forward with new techniques and ideas.
- Provides positive human resource management systems; well-trained and motivated staff; appropriate personnel policies; and balanced, comprehensive compensation policy.
- Provides discipline throughout the organization; enforcement of policies as authorized by bylaw or Board policies.
- Ensuring strong fiscal management systems.

3.0 EXPECTATION OF OPEN COMMUNICATION

Finding ways to ensure that both the administration and the Board are able to legitimately discuss issues, and seek information from each other is important for good governance.

Municipal actions are taken by the Board, acting collectively, at meetings validly called and constituted. Individual Board Commissioners can actively represent the views and concerns of local residents. They can also work individually in promoting particular policies. However, the Board in its entirety must enact any such policy.

Board Commissioners do not have any authority to act individually in giving direction to staff. Staff take their direction from the CAO, when Board members give direction to staff it is difficult for staff to refuse them, a Board member's intervention may deflect staff from assigned duties and established priorities. In addition, lower-level staff may not be fully informed on the issue. Board members may make inquiries or exchange information, but they cannot issue directives.

All Board Commissioners should feel free to communicate with the CAO about any Park issues, including resident concerns. Board members should forward questions or concerns to the CAO or to a senior manager, with a cc to the CAO. However, if the request in the opinion of the CAO requires extensive research, or reports that may occupy more than cursory amount of staff time and are not part of the Board's Strategic Priorities, then the CAO will bring the request to the Board for approval by the entire Board.

All members of the Board will concurrently receive a copy of the CAO's response and/or report with respect to all Commissioners inquiries. In addition, the CAO will provide a monthly update email in order to keep Commissioners abreast of what has or will be happening shortly in the Park.

It is staff's role to provide factual, objective, and unbiased information to the Board and the public in its reports. Board members should not interfere or attempt to unduly influence the content of reports being prepared by staff. If a Board Commissioner disagrees with a staff recommendation, he or she is not obligated to vote for it and is likewise free to attempt to convince his or her colleagues on the Board of his or her position.

The expectations outlined here are intended to enhance trust in the Board – Staff relationship. Open lines of communications are essential. There should be no surprises.

It is expected that Board Commissioners will:

- Request CAO input prior to making important policy decisions and convey feedback to the CAO;
- Discuss issues with the CAO and ask questions prior to public meetings whenever possible;
- Request advice from the CAO about appropriate wording of resolutions to the Board;
- Consult with the CAO prior to making significant commitments to residents; and
- Advise the Chair and CAO prior to seeking to introduce late items on open and closed meeting agendas; and
- When the Chair meets with other levels of government when appropriate the CAO should also be in attendance.
- Any discussions/meetings held with other levels of government should be reported back to the entire Board and CAO in the form of email or at a Board meeting.

It is expected that the CAO will:

- Ensure that the Board is apprised of any issues that may impact upon their decision making process;
- Present his/her professional advice when required or requested; and
- Notify the Board of important changes in legislation or any unintended or unexpected impact of policy decisions through email, written reports and/or verbal reports in a timely fashion.

4.0 EXPECTATION THAT TIME IS VALUABLE

Priorities and timelines must be respected. All are expected to make good use of time, understanding the other's demands and pressures, being well-prepared for meetings, and communicating if there are changes to the timelines. There are costs associated with staff time. Political priorities should reflect the reality of workflow, budgetary and capacity issues. Part of the CAO's role is to communicate these pressures.

5.0 PROFESSIONAL AND RESPECTFUL WORKING RELATIONSHIPS

A formal and professional relationship should exist between Park Staff and members of the Board. Whenever possible and particularly in a public forum, Board members should be addressed by their appropriate titles of Chair, Vice Chair or Commissioner. Park Staff and Board members may wish to communicate less formally, however all written correspondence requires the use of formal titles.

All members of the Board are to be treated equitably and without favouritism by the Chair and CAO. It is not appropriate, in any situation, for a Board Commissioner to publically criticize, ridicule or complain about staff. Board members should interact with staff in a respectful and businesslike manner and at all times speak to staff using respectful business language, tone and body language.

All concerns the Board Commissioners have about staff members should be directed to the CAO. If a Board Commissioner is not satisfied with the attention given to his/her concern about staff, the item will be placed on the closed agenda for the consideration of all the Board. Any misconduct of Board Commissioner the CAO will discuss the matter directly with them. If the issue is unresolved the Board Chair will be notified by the CAO. The Chair will then speak directly with the Commissioner in order to resolve the issue.

6.0 RESULTS OF A STRONG BOARD – CAO SYSTEM

An effective Board governance model includes a solid, healthy and respectful Board-CAO relationship. Such a relationship reflects:

- Trust between the Board and CAO that is unwavering and based on commitments made and undertaken;
- Respect for the role distinctions of both parties, and understanding that the success of one requires fair consideration for the other;
- A willingness by the Board to defer all administrative and personnel matters to the CAO with full confidence that such matters will be dealt with in a manner that is consistent with approved policy and legislation;
- Confidence that if the CAO commits to undertake a particular action, that the action will be carried out;
- Understanding by the CAO that there are and will be highly political matters that the Board will want to be seen to lead;
- A desire by the Board to delegate to the CAO sufficient fiscal powers to undertake significant board-approved projects without interference.
- A commitment by the Board to regularly review and discuss this relationship and the results of the work of the CAO through an annual performance review;
- To ensure that the CAO is being appropriately compensated for this work.

7.0 **BOARD REVIEW**

Good governance check-in sessions with the Board are to be conducted at least once a year to ensure compliance with this policy, the Community Charter and best practices in the municipal section.

This policy will also be reviewed at the beginning of each term of a new Board as part of Board orientation.

DO NOT INCLUDE IN THE POLICY FOR REFERENCE ONLY

References:

Community Charter

The Cultus Lake Park Act

Procedures Bylaw

Making a Difference: Cuff's Guide for Municipal Leaders the Case for Effective Governance
Volume 2 – George B. Cuff

Municipal Knowledge Series – Guide to Good Municipal Governance – C. Richard Tindal and
Susan Nobes Tindal.

The Institute of Public Administration of Canada – IPAC Case Study Program – Council-Staff
Relations: Some Short Vignettes by David Siegel

The Leadership role of the municipal chief administrative Officer – David Siegel – Canadian
Public Administration Volume 53, No. 2 (June 2010) pp 139-161

The Mindful Board by Charlotte M. Roberts and Martha W. Summerville

International City/County Management Association – ICMA Code of Ethics and Guidelines

Good Governance Organization – web site role of Councillors – Role of the Chief Executive
Officer

AMCTO Council/Staff Relations Presentation

Building effective Council-Staff Relations – Michael Fenn – Municipal World April 2003

City of Botany Bay – Councillor and Staff Protocol and Access to Information Policy June 2012

City of Calabasas – City Council Protocols – Feb 12, 2014

Kootenays Council-Staff Protocol Policy

Island Trust – Council - Staff Protocol Policy

Nanaimo Council-Staff Relations Protocol

City Council Protocol Manual Suwanne, GA

Relationships between Elected Officials – Judy Nadler and Mirian Schulman – University of
Santa Clara

City of Calgary – Ethical Conduct Policy for Members of Council
Guide for New Chief Administrative Officers, LGMA and Capilano College