



**1. Purpose:**

The *Municipal Act, 2001* (the Act) provides that:

- (a) It is the role of Council “to ensure the accountability and transparency of the operations of the municipality, including the activities of the senior management of the municipality. (The *Municipal Act, 2001*, Section 224(d.1)); and
- (b) That municipalities must adopt and maintain a policy with respect to “the manner in which the municipality will try to ensure that it is accountable to the public for its actions, and the manner in which the municipality will try to ensure that its actions are transparent to the public.” (The *Municipal Act, 2001*, Section 270(1) para. 5.)

The purpose of this policy is to provide guidance to the delivery of the City’s activities and services in accordance with the principles as outlined herein. This policy has been developed in accordance with the Act to comply with section 270.

**2. Definitions**

**“Accountability”** – The principle that the City is obligated to demonstrate and take responsibility for its actions, inactions, decisions and policies, in light of agreed expectations, and that it is answerable to the public at large.

**“Transparency”** – The principle that the City actively encourages and fosters stakeholder participation and openness in its decision making processes, that it will conduct its business in an accessible, clear and visible manner and that its activities are open to examination by its stakeholders.

**3. Policy Statement**

The Corporation of the City of Port Colborne is committed to the fundamental principles of accountability and transparency as a matter of good governance and will be guided by the following principles:

- i. Decision-making will be open and transparent
- ii. Municipal operations will be conducted in an ethical and accountable manner

- iii. Financial resources and physical infrastructure will be managed in an efficient and effective manner
- iv. Municipal information will be accessible so that it is consistent with legislative requirements
- v. Inquiries, concerns and complaints will be responded to in a timely manner
- vi. Financial oversight, service standards and performance reporting and all other accountability documents will be made available and accessible, in language that the public can understand, to increase the opportunity for public scrutiny and involvement of municipal operations.
- vii. Every new delegation of power or authority will have a corresponding accountability mechanism.

The City of Port Colborne is committed to creating a culture wherein Council and staff are aware of and understand the principles of accountability and transparency articulated through this policy, and will support and contribute to the spirit and intent of the policy. This requires the leadership of Council and senior management to ensure these principles are practiced and adhered to throughout the corporation.

The City of Port Colborne will foster a safe environment that allows all stakeholders of this policy to participate freely, without fear of reprisal or retribution.

The City of Port Colborne will conduct its business openly, honestly, ethically and with integrity.

#### **4. Application**

The principles of accountability and transparency shall apply equally, to the political process and decision making and to the administrative management of the City of Port Colborne and to all operations of the City.

#### **5. Policy Implementation**

- 5.1 Council will determine the manner and timing of consultation with stakeholders related to major policy decisions.
- 5.2 Practices and procedures will reflect current legislative requirements and regulations. In the event of a conflict between this policy and any legislative requirements, the legislative requirements will prevail.
- 5.3 The Chief Administrative Officer is responsible for ensuring that administrative practices and procedures to be followed by staff recognize Council's commitment to accountability and transparency.

## **6. Policy Requirements**

The City demonstrates its commitment to accountability and transparency by providing a framework of policies, procedures and practices that create sound governance and sustainability.

### **6.1 Legislated Requirements**

The following are some of the provincial statutes that govern how the City conducts its business:

- (a) Assessment Act
- (b) Building Code Act
- (c) Cemeteries Act
- (d) Development Charges Act
- (e) Emergency Management and Civil Protection Act
- (f) Employment Standards Act
- (g) Fire Protection and Prevention Act
- (h) Gaming Control Act & Order in Council
- (i) Highway Traffic Act
- (j) Marriage Act
- (k) Municipal Act
- (l) Municipal Conflict of Interest Act
- (m) Municipal Elections Act
- (n) Municipal Freedom of Information and Protection of Privacy Act
- (o) Occupational Health & Safety Act
- (p) Ontarians with Disabilities Act
- (q) Planning Act
- (r) Provincial Offences Act
- (s) Public Sector Salary Disclosure Act
- (t) Safe Drinking Water Act
- (u) Vital Statistics Act

### **6.2 Financial Matters**

The City of Port Colborne is open, accountable and transparent to its stakeholders in its financial dealings as required under the Act. Some examples of how the City provides such accountability and transparency are as follows:

- (a) Internal/external audit program
- (b) Financial reporting/financial statements
- (c) Long term financial planning
- (d) Annual budget process
- (e) Insurance/risk management programs
- (f) Asset management programs
- (g) Procurement of goods and services policy

- (h) Sale and disposition of land policy
- (i) Development charges by-law
- (j) Fees and charges by-laws
- (k) Conference and seminar policy for members of Council
- (l) Council remuneration by-laws and annual report of the remuneration and expenses paid to Council members and other Council appointees
- (m) Various administrative procedures including travel expenses, benefits, overtime, etc.
- (n) Municipal Conflict of Interest Act

### 6.3 Open Government

The City of Port Colborne is accountable and transparent to taxpayers by providing governance in an open manner through communication, consultation and collaboration. The following are some examples of policies, procedures and practices that ensure that the City is transparent in its operations and residents are aware of how decisions are made and carried out:

- (a) Council Procedure By-law
- (b) Public Notice By-law
- (c) Public distribution of Council and Committee Agenda meeting documentation
- (d) Televised meetings
- (e) Accountability & Transparency Policy
- (f) Closed meetings investigator
- (g) Public consultation measures such as advisory committees, public meetings and open house meetings
- (h) Public strategic planning sessions
- (i) Planning processes under the Planning Act
- (j) Municipal Freedom of Information and Protection of Privacy Act
- (k) Records Retention by-law.

### 6.4 Internal Governance

The City of Port Colborne ensures specific accountability on the part of its employees through the following initiatives:

- (a) various administrative procedures including attendance recognition, dress code, employment of relatives, hiring of summer students, etc.
- (b) collective agreements and employment contracts
- (c) performance management/evaluations
- (d) Occupational health and safety standards and programs
- (e) new employee orientation
- (f) learning and development programs
- (g) workplace harassment policy

**7. Responsibilities**

City Council and City staff are responsible for adhering to the parameters of this policy and for ensuring accountability for their actions and transparency of municipal operations.

**8. Monitoring/Contraventions**

The City Clerk shall be responsible for receiving complaints and/or concerns related to this policy. Upon receipt of a complaint and/or concern, the City Clerk shall notify:

- (a) In the case of staff, the Director responsible for the area and the Chief Administrative Officer;
- (b) In the case of a closed meeting, the Meeting investigator; and
- (c) In the case of the Council, the Head of Council.

**9. Enquiries**

City Clerk  
Department of Community & Corporate Services  
Municipal Offices  
66 Charlotte Street  
Port Colborne, ON L3K 3C8

Telephone: (905) 835-2900 ext. 106

Approved: April 28, 2008

Adopted: By-law No. 5262/17/09, February 9, 2009

Revised: \_\_\_\_\_