



Town of Whitby Policy

Policy Title:	Council-Staff Relations
Policy Number:	G 080
Reference:	S. 270 (1) (2.1) of the Municipal Act, 2001, and Council Resolution #55-19
Date Approved:	February 19, 2019
Date Revised:	Not Applicable
Approval:	Council
Point of Contact:	Chief Administrative Officer

Policy Statement

The Town of Whitby recognizes the importance of the relationship between Council in their role of decision-making authority and Town Staff in their role of carrying out and implementing such decisions. Within this relationship, the Town of Whitby promotes an environment of trust and respect and ensuring a workplace free from discrimination and harassment in support of the delivery of quality public services and programs.

Purpose

The purpose of this policy is to address the interdependent roles of Council and Staff at the Town of Whitby and provide guidelines for maintaining a strong, cooperative and mutually respectful relationship while complying with all Town policies, procedures by-laws and regulations. This policy is not meant to be comprehensive and should serve as a guide to dealing with other circumstances, as they may arise from time to time.

Scope

This policy applies to all Members of Council and the officers and employees of the Town of Whitby. Nothing contained within this policy shall replace any aspects of the Employee Code of Conduct Policy (400-070-02), Customer Service Standards Policy CA 210, Council Code of Conduct By-law #7245-17, CAO Appointment By-law, Respect in the Workplace Policy (400-060-01) or Procedure By-law.

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1 Definitions

- 1.1 CAO** means Chief Administrative Officer of The Corporation of the Town of Whitby, and the one employee who reports directly to the Council of The Corporation of the Town of Whitby.
- 1.2 Town Staff** means any person employed by the Town of Whitby, including those on contract, but does not include the CAO or Members of Council.

2 Responsibilities

2.1 Mayor to:

- Represent the Town as the head of Council in accordance with section 225 of the Municipal Act;
- Preside over Council meetings so that business can be carried out efficiently and effectively;
- Provide leadership to the Council; and,
- Act as the official spokesperson for Council.

2.2 Members of Council to:

- Make decisions as a whole, in accordance with section 224 of the Municipal Act, based on the professional advice provided by Town Staff.

2.3 Chief Administrative Officer to:

- Facilitate the provision of professional advice and information to Council from Town Staff;
- Oversee the implementation and administration of Council's decisions;
- Remain accountable to Council as a whole; and,
- Provide administrative leadership to Town Staff.

2.4 Town Staff to:

- Provide sufficient and timely advice and recommendations to Council through the CAO; and,
- Under the direction of the CAO, implement Council's decisions and establish administrative practices and procedures to carry out such decisions.

3 Conduct Guidelines

- 3.1** All Town Staff serve the Corporation as a whole and do not serve or take direction from, whether made publicly or privately, a single Member of Council.
 - 3.1.1** Notwithstanding Section 3.1, Town Staff working in the Mayor and Councillors' Office are not limited from carrying out their responsibilities in providing administrative assistance to individual Members of Council as required.
- 3.2** All conduct between Members of Council and Town Staff shall foster a climate of mutual respect without abuse, bullying or intimidation, and to ensure that the municipal work environment is free from discrimination and harassment.
- 3.3** Respect shall be shown at all times for the roles and responsibilities which Members of Council have in the decision-making process through elected office and which Town Staff have in formulating and providing recommendations to Council.
- 3.4** The priorities and timelines of Council and Town Staff must be understood and respected, including sufficient communication if there are adjustments made to any previously stated timelines.
- 3.5** At all times in the discharge of their duties, Town Staff must remain politically neutral and Members of Council shall not attempt to influence or coerce Town Staff to engage in partisan political activities.
- 3.6** At no time shall a Member of Council involve themselves in matters of administration or departmental management.

4 Council-Staff Communications

- 4.1** When responding to an inquiry made by a Member of Council, Town Staff shall respond within the timelines established through the Customer Service Standards Policy.
- 4.2** Inquiries made by a Member of Council for information or action on behalf of a constituent shall be responded to in accordance with the established process for responding to public inquiries within the timelines established through the Customer Service Standards Policy.
- 4.3** Any inquiry made by a Member of Council for information or action that would not typically be provided to the public or that is outside the employee's area of responsibility shall be forwarded to the respective Department Head and/or CAO for their review and response.

5 Contravention of the Council-Staff Relations Policy

- 5.1** All complaints regarding contravention of this policy shall be processed as follows:
 - 5.1.1** In the case of a complaint against Town Staff, a Member of Council shall communicate their complaint directly with the CAO.
 - 5.1.2** In the case of a complaint against the CAO, a Member of Council may submit a complaint in accordance with the complaint procedures contained within the Employee Code of Conduct.
 - 5.1.3** In the case of a complaint by Town Staff against a Member of Council, the Staff shall inform the CAO of their concern, and may submit a complaint in accordance with the complaint procedures contained within the Council Code of Conduct.

6 Administrative Variation

- 6.1** If at any time this policy presents a discrepancy between what is contained within this document and the procedures set out within either the Council Code of Conduct or the Employee Code of Conduct, the language used in each respective Code shall prevail.

7 Application

- 7.1** This policy shall be reviewed with Members of Council at the beginning of each term of a new Council as part of the Council orientation process.

This Policy is hereby approved by Council Resolution #55-19 on this 19th day of February, 2019.