

Section: Council

Title: Committee Governance Policy

Policy Number: GP-23-01

Approved by: Council

Administered by: Legislative Services Division

Effective: February 27, 2023

1. PURPOSE

1.1 Governance Policy #GP-23-01 (the Policy) guides Members of Council and staff with respect to the requirements for Committees of Council as well as the process for establishing, amending, dissolving, recruiting and making appointments to Committees in accordance with the following Guiding Principles to help ensure the integrity of the process overall:

- Rights of Council members to be fully involved in the appointment process;
- Openness and transparency concerning the process;
- Accessibility to enable qualified applicants to apply and serve;
- Representation of qualified applicants who can contribute constructively and effectively to committee work;
- Equity and diversity so Committees are representative, as much as possible, of the community they serve;
- Fairness in the treatment of all applicants; and,
- Consistency of the process to uphold fairness.

1.2 Through Committees of Council, eligible citizens of the Township of Wilmot can provide input on a variety of issues. The Township of Wilmot values community input in local governance.

2. SCOPE

2.1 The Policy does not apply to Ad Hoc Committees, Staff Working Groups, the Grand River Accessibility Advisory Committee, or the Youth Action Council (YAC) and Volunity which are not considered Committees of Council.

2.2 The Policy does not set out the rules for meetings. Meetings are conducted in accordance with the Township's Procedural By-law.

3. DEFINITIONS

3.1 "Ad Hoc Committees" are comprised solely of members of Council and are convened on an as-needed basis for a defined purpose to make decisions within the Committee's mandate or jurisdiction and are disbanded when the purpose for which they were formed is no longer required. Appointments to Ad Hoc Committees are decided by Council. Ad Hoc Committees do not include Staff Working Groups or Special Purpose Committees.

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- 3.2 “Advisory Committees” are comprised of members of the public who are appointed by Council to provide advice and recommendations to Council within their respective jurisdictions, mandates and Terms of Reference relating to the Township of Wilmot.
- 3.3 “Closed Meeting” is a session of Council which is closed to the public in accordance with Sections 239 (2), (3) and (3.1) of the Municipal Act, 2001.
- 3.4 “Chair” is the person presiding over a Committee Meeting and who is charged with deciding questions and Points of Order, preserving order, and maintaining decorum in the meetings as well as reporting any issues occurring with Committee Members.
- 3.6 “Committee Member” or “Committee Members” is (are) those individuals who have been appointed by Council to serve on a Committee.
- 3.7 “Committee” or “Committees” is the collective term for Advisory, Quasi-Judicial and Special Purpose Committees unless otherwise indicated and are governed by this Policy.
- 3.8 “Corporate Leadership Team” means the Chief Administrative Officer and Department Heads of the Township.
- 3.9 “Department Head” means the head of a Township department.
- 3.10 “Nomination package” is all the information including applications confidentially provided to Council to facilitate decision-making for the appointment of Committee Members.
- 3.12 “Quasi-Judicial Committees” are comprised of members of the public appointed by Council to make decisions on behalf of Council or to refer decisions to Council for ratification in accordance with the relevant legislation or jurisdiction afforded them by Council or by law, and include the following as well as their predecessors, successors and any future committees approved by Council, or required by federal or provincial statute:
- Committee of Adjustment;
 - Dangerous Dog Designation Committee; and,
 - Property Standards Committee.
- 3.13 “Special Purpose Committees or Task Forces” are comprised of members of the public and can also include Township staff as appointed by Council on an as-needed basis for a defined purpose to provide advice and recommendations to Council within the mandate or jurisdiction of the Special Purpose Committee. Special Purpose Committees/Task Forces are disbanded when the purpose for which they were formed is no longer required. Special Purpose Committees/Task Forces do not include Staff Working Groups or Ad Hoc Committees.

- 3.14 “Staff Working Groups” are comprised solely of Township staff who are convened at the call of Council or the Chief Administrative Officer on an as-needed basis for a defined purpose to provide advice and recommendations to Council and/or the Corporate Leadership Team. Staff Working Groups are disbanded when the purpose for which they were formed is no longer required.
- 3.15 “Striking Committee” is the collective term for Council when it convenes in a Closed Meeting to consider the applications for appointments to Committees. All decisions of Council in Striking Committee must be ratified in an Open Session of Council.
- 3.19 “Volunity” is the youth volunteering initiative operated by Wilmot's Youth Action Council and is not governed by this Policy.
- 3.20 “Youth Action Council (YAC)” is a group of local youth volunteers (ages 14- 19) who offer other youth a chance to be involved in the community, to create and support the youth voice. YAC is not appointed by Council and is subject to its own Terms of Reference and as such, is not governed by this Policy.

4. ESTABLISHMENT, AMENDMENT AND DISSOLUTION OF COMMITTEES

Council may create a new committee, amend an existing or dissolve a committee based on the analysis of the following:

- a. Council approved Staff Report recommending establishment of a committee which shall include and assessment of the following:
 - i. Is the existence of this committee required by legislation and regulation (Federal/Provincial/Municipal);
 - ii. Is this committee’s mandate relevant;
 - iii. Is this committee’s mandate achievable;
 - iv. Is this committee’s mandate unique;
 - v. Is this committee’s mandate aligned with the corporate strategic plan;
 - vi. Are there sufficient resources (staffing, budget, etc.) to support the committee’s mandate.
- b. Public interest, community support and/or feedback.

4.1 Establishment

- 4.1.1 The creation a new committee may be triggered by the following factors:
- a. Significant public issues or trends;
 - b. Where public input is deemed desirable;
 - c. Legislated requirement (Federal/Provincial/Municipal By-Law);
 - d. Staff request.
- 4.1.2 On Council’s direction, the appropriate department shall prepare a staff report which shall include the following:

- a. Public and financial considerations;
- b. Impact on other departments and users;
- c. Consideration of the Corporate Strategic Plan and departmental goals and objectives;
- d. Proposed Terms of Reference using the Council approved template (Appendix A);
- e. Recommended appointment of appropriate staff resources.

4.1.3 After approval of the creation of a new committee, the Municipal Clerk on behalf of Council will facilitate the appointment process, in accordance with this policy, based on the Committee Terms of Reference.

4.2 Amendment

4.2.1 Changes to Terms of Reference will be based on Council decisions and may be triggered:

- a. Following the Annual Report to Council and/or initiated by Council;
- b. By resolution of the committee; and/or
- c. By a recommendation and report by Staff.

4.2.2 The following factors may be considered when amending a committee terms of reference:

- a. Result of annual report which measures progress against mandate;
- b. Lack of material purpose, function or public interest;
- c. New issues at Council (could add or remove a mandate);
- d. Changes to legislation;
- e. New Council;
- f. Committee sunset clause.

4.2.3 A staff report addressing the proposed changes will be prepared by the relevant Department or Division and presented to Council. The report will be analytical in nature and include specifically:

- a. Indication of which factor led to the amendment
- b. Assessment of the following factors as relevant:
 - i. Is the existence of this committee required by legislation and regulation (Federal/Provincial/Municipal);
 - ii. Is this committee's mandate relevant;
 - iii. Is this committee's mandate achievable;
 - iv. Is this committee's mandate unique;
 - v. Is this committee's mandate aligned with the Corporate Strategic Plan;
 - vi. Is this committee operating effectively;
- c. Supporting information; cause/effect, cost analysis and resources required;

d. Impact on terms of reference.

4.3 Dissolution

4.3.1 Dissolution of a Committee may be triggered by one of the following:

- a. Expiration of term;
- b. Completion of task or mandate;
- c. Resolution of issues;
- d. Legislative requirement no longer exists;
- e. Merger with another committee;
- f. Following the annual review process;
- g. Recommendation by Committee by resolution;
- h. Recommendation by Staff in Staff Report.

4.3.2 The following steps will be taken by the Municipal Clerk following the dissolution of a committee:

- a. Relevant staff members will be informed; and,
- b. Thank you letters on behalf of Council will be sent to committee members.

5. STANDARDS AND PROCEDURES

5.1 Terms of Reference

5.1.1 All Committees must have a Terms of Reference that outlines the following at a minimum:

- a. Purpose/mandate of the Committee;
- b. Responsibilities/specific functions of the Committee;
- c. Council and the role of the Committee. It should be explicitly stated that: Committees provide advice to Council; and, all decision-making authority is retained by Council, unless decision-making authority is mandated by provincial/federal legislation.
- d. Committee composition including:
 - i. Number of Committee Members (minimum and maximum) not including Council;
 - ii. If there are any sector-specific representatives on the Committee;
 - iii. If there are any specific community-based representatives on the Committee that are not appointed by Council but serve by virtual of the nature of their organization (e.g., Waterloo Regional Police Services);
 - iv. Sub-committees and how they are formed;
- e. How the Chair and Vice-chair will be appointed;
- f. Attendance and quorum requirements if different from the Township's Procedural By-law;
- g. The Rules of Procedure for Committees shall be the same as Council as set out in the Procedural By-law, except that committees shall not be permitted to hold closed meetings, unless permitted by legislation;
- h. Frequency and time of each Committee's meetings (where available) and agendas;

- i. Refence to annual referencing to Council as prescribed in Section 7 Annual Reporting to Council;
- j. Minutes and reporting requirements; and,
- k. The title of the staff position who is the Committee Administrator for the Committee.

5.2 Eligibility to Serve

5.2.1 Committee Members must live, own property, or be the spouse of someone who owns property in the Township of Wilmot to be eligible to serve on a Committee. If a Committee Member becomes ineligible during the term of their appointment they are automatically deemed to have resigned as a Committee Member. Exceptions may be granted by Council on a case-by-case basis if requested by the Committee Member.

5.2.2 All Committee Members must be at least 18 years of age.

5.3 Township Staff as Committee Members

5.3.1 Full time permanent employees of the Township are not eligible for a citizen member position on any committee or board with Council is required to make such appointments.

5.4 Applications

5.4.1 Anyone who wishes to be considered for a Committee appointment must apply for each recruitment cycle using the application form including those who previously applied and were not selected.

5.4.2 Existing Committee Members are required to re-apply using the application form in order to be considered. Existing Committee Members will not be automatically re-appointed or automatically considered for re-appointment without an application.

5.5 Term Lengths

5.5.1 Term for Quasi-judicial Committee Members will coincide with the Term of Council unless filling a mid-term appointment.

5.5.2 Advisory Committee Members will serve for a two-year term beginning in the January following the new term of Council to December of the following year (e.g., January 1, 2023 to December 31, 2024; January 1, 2025 to December 31, 2026) unless filling a mid-term appointment.

5.5.3 The term for Special Purpose Committees will be determined by Council when establishing such Committees.

5.6 Term Limits

- 5.6.1 Committee Members may serve on the same Committee for a maximum of eight (8) consecutive years and may continue to serve on a Committee past their term limit if Council approves the extension of their term. Applicants who have reached their term limit will be flagged for Council in their nomination packages.

5.7 Serving on Multiple Committees

- 5.7.1 Committee Members are to serve on only one Committee at any one time in order to allow as many other interested applicants as possible the opportunity to serve unless Council approves an applicant to serve on more than one Committee simultaneously.

5.8 Timing of Recruitment

- 5.8.1 The recruitment for Township Committees in the year of an election will be held in the fall before each new term of Council with appointments to be targeted for the first Regular Council Meeting following the Inaugural Council Meeting.
- 5.8.2 The recruitment for Township Committees in non-election years will be held in the fall before the end of the Committee term with appointments to be targeted for the Regular Council meeting in December.

5.9 Advertising Channels

- 5.9.1 The advertising channels will be designed to drive interested applicants to the Township's website where the majority of the information regarding the recruitment will be located including the application form. Advertising channels may include but are not limited to the following as budget will allow:
- a. Newspapers;
 - b. Radio;
 - c. Posters at the Wilmot Recreational Complex, public library branches, Administrative Complex, other Township facilities;
 - d. Social media; and,
 - e. Outreach to existing members, other community organizations, Council, staff.

5.10 Website Information

- 5.10.1 The Township's website may include but is not limited to the following information:
- a. List of the Committees for which recruitment is taking place and their respective Terms of Reference;
 - b. Frequency and time of each Committee's meetings (where available);
 - c. Roles and responsibilities of Members and the Chair;
 - d. Township policies that govern Committees;
 - e. Eligibility requirements for applying;

- f. Anticipated time commitment needed to serve;
- g. Application form;
- h. Information regarding participating electronically; and,
- i. Code of Conduct for Committee Members.

5.11 Application Form

5.11.1 An application form will be available online on the Township's website with hardcopies also available upon request, and may include but is not limited to the following:

- a. Name of applicant;
- b. Address of applicant (used for verifying qualification to apply);
- c. Contact information for applicant including email (will be needed for receiving Committee agendas, correspondence, etc.);
- d. 1st, 2nd and 3rd Choice;
- e. Reason for applying to the Committee and what they feel they have to contribute;
- f. What interests the Applicant about the work of the Committee;
- g. What work or volunteer skills, experience, activities or training they have that would be helpful to the committee they are applying for;
- h. Sector-specific representation applying for, if applicable;
- i. List of current or past municipal committee involvement;
- j. Demographic questions (optional for the person to answer);
- k. Any accommodations needed; and,
- l. How the applicant heard about the volunteer opportunity.

5.12 Striking Committee Composition

5.12.1 The composition of the Striking Committee will consist of all members of Council.

5.13 Nomination Package

5.13.1 Each Council member will be provided with a full confidential nomination package consisting of the applications for all eligible applicants in order to assess applicants for the Committees based on the selection criteria as outlined in 5.11.1. The package will be arranged so as to provide Council with information about the 1st, 2nd, and 3rd choices of applicants, where provided, and will also flag any applicants who applied after the recruitment deadline.

5.14 Consideration of Applications

5.14.1 Consideration of the applications will take place in a Closed Meeting of Council in accordance with the provisions of the Municipal Act, 2001 for Closed Meetings since personal information of applicants will be discussed and personal privacy will need to be maintained. The final slate of recommended appointments applicants will be presented in an Open Session of Council for ratification.

- 5.14.2 In advance of the Closed Meeting, each Council member will provide to the Municipal Clerk their selections and the Municipal Clerk will tally the results for each applicant to present as a proposed “slate of candidates” for each Committee for the Closed Meeting.
- 5.14.3 The order in which applications will be considered by Council is as follows:
- a. Eligible applicants who submitted their applications by the advertised recruitment deadline.
 - b. Eligible applicants who submitted their applications after the advertised recruitment deadline and only if there are still vacancies remaining on a Committee once all applicants in #1 have been considered.
 - c. Eligible applicants who have applied after the appointments to Committees has taken place to fill a mid-term vacancy or any vacancies that remain on a Committee once all applicants in #1 and #2 have been considered.
- 5.14.4 The principles of equity and accommodation for all candidates will be adopted and implemented by enforcing application deadlines and selection criteria. The membership of Committees shall be based, as much as possible, on the following selection criteria:
- a. Governing Policy # GP-23-01;
 - b. Terms of Reference of Committees including any sector-specific representation;
 - c. 1st choice of applicants where possible;
 - d. Applicants’ knowledge, expertise, experience and interest as outlined in their application;
 - e. Blend of new and returning members to support succession planning and continuity within the committees; and,
 - f. Equity and diversity to reflect the community as a whole as self-identified by the applicants in their application form.
- 5.14.5 Council may decide it is desirable to over-appoint to a committee (no more than 3 over-appointments for any Committee is recommended) to assist with the typical attrition that can take place during a Committee term and when there are more suitable applicants than vacancies.
- 5.14.6 Council may appoint only one Member of Council to sit on an Advisory Committee.
- 5.14.7 The Mayor is an ex officio member of all Township committees and may vote and participate, save and except quasi-judicial committees where membership is mandated by provincial legislation.
- 5.14.8 If there are any vacancies remaining on any Committee after the main recruitment concludes (assuming there are no “unassigned” applicants for that Committee), these would be listed on the Township’s website until such time as the vacancy is filled.

5.15 Mid-Term Appointment Process

- 5.15.1 Where a Committee has received a resignation or a Committee Member has been expelled, the Municipal Clerk will initiate the requirement process upholding the Guiding Principles in this Policy. Accordingly, Council will make all decisions regarding any mid-term appointments unless they have delegated this authority. While staff can encourage residents to apply, staff are not permitted to appoint anyone to any Committee.
- 5.15.2 The order in which applications will be reviewed for consideration for the mid-term vacancy is as follows:
- a. Any eligible applicants who applied by the deadline for the main recruitment but were not appointed to any Committee and had indicated an interest in serving on the Committee with the mid-term vacancy as one of their choices. These applicants should be contacted first to find out if they are still eligible and interested in serving. If they are, then all of these applicants should be considered before anyone else.
 - b. Any eligible applicants who applied after the deadline for the main recruitment but were not appointed to any Committee and had indicated an interest in serving on the Committee with the mid-term vacancy as one of their choices. These applicants should be contacted next to find out if they are still eligible and interested in serving if there are no applicants from the first group above.
 - c. Any eligible applicants who have applied during the time since the main recruitment and have indicated an interest in serving on the Committee with the mid-term vacancy. These applicants should be contacted after the applicants from first and second groups above have been exhausted.
- 5.15.3 If there are more eligible applicants than mid-term vacancies for a Committee, the Municipal Clerk will send a confidential nomination package with all the applications to Council for review and selection as per Section 5.14 and 5.15.
- 5.15.4 If there is the same number of eligible applicants as there are vacancies, the Municipal Clerk will write an Open Session report recommending the applicant and send the confidential nomination package to Council as per Section 5.14 and 5.15.
- 5.15.5 If there are no suitable applicants as per Section 5.15.3, the Municipal Clerk will initiate the recruitment process as per this Policy.

5.16 Disciplinary Process

- 5.16.1 Consistent, persistent and/or egregious issues with any Member regarding breaches of the Procedural By-law or Code of Conduct, and/or behaviours which have a negative or detrimental effect upon the other Committee Members or the productivity of the meetings should be brought to the attention of the Department Head responsible for the Committee and the Municipal Clerk by the Committee Administrator. The matter should be discussed

with the CAO and then brought to a Closed Meeting of Council so Council can determine the best course of action to take with the Committee Member.

5.16.2 At the discretion of the CAO, the Committee Member could be afforded the opportunity to appear before Council during the Closed Meeting if they wish to speak to their behaviour, especially if there is reason to believe the Committee Member will likely be removed from the Committee.

5.16.3 If a member misses three (3) meetings in a row or is absent frequently during the Committee term, the Committee Administrator should inquire with the Committee Member whether they are able to continue serving on the Committee. If it is determined the Committee Member can no longer serve, the Committee Administrator should advise the Department Head responsible for the Committee and contact the Municipal Clerk to track for mid-term appointments.

5.16.4 Council does not need to be notified of or involved with regular, routine attrition of Committee Members unless it is determined there is a systemic issue relating to the Committee.

6. RESPONSIBILITIES

6.1 Mayor

- Encourage interested individuals to submit applications for Committees;
- Review and make selections for Committees for discussion in the Closed Meeting;
- Chair the Closed Meeting where applications are being considered; and,
- Chair the Open Session where Council's slate of candidates is ratified.

6.2 Council

- Encourage interested individuals to submit applications for Committees;
- Refer residents to staff for responses to questions about the appointment process;
- Review and make selections for Committees for discussion in the Closed Meeting; and,
- Ratify the selections for each Committee in the Open Session of Council.

6.3 Municipal Clerk

- Conduct the recruitment process for applicants in conjunction with Communications including developing appropriate application form and utilizing effective communication/media channels for advertising to encourage individuals to apply;
- Coordinate meetings of the Striking Committee, assist in the administration of the meeting including preparing the nomination package for review by Council;
- Contact all applicants who have not been selected to serve on a Committee;

- Send a list of selected applicants to the Committee Administrators;
- Make the determination as to whether mid-term vacancy recruitment should take place and conduct such recruitment as necessary;
- Assist the Department Head responsible for the Committee and the CAO regarding any issues concerning Committee Members; and,
- Oversee the update of this policy and any accompanying schedules.

6.4 CAO and Department Heads

- Review and comment on any updates to this Governance Policy and any accompanying schedules prior to presenting to Council;
- Notify the Municipal Clerk of any issues involving Committee Members; and,
- Refer interested applicants to the Municipal Clerk during and post the recruitment period.

6.5 Committee Administrators

- Provide attendance information about existing Committee Members to the Municipal Clerk when requested;
- Ensure messaging about the recruitment is provided to existing Committee Members and encourage them to apply;
- Refer interested applicants to the Municipal Clerk during and post the recruitment period;
- Contact selected applicants for their respective Committees to let them know of their appointment and any other information required regarding the Committee;
- Follow this Policy, especially the requirements for mid-term vacancies;
- Contact Committee Members who are experiencing attendance issues; and,
- Notify their respective Department Head of any issues involving Committee Members.

7. ANNUAL REPORTING TO COUNCIL

- 7.1 Citizen Advisory Committees will submit an annual report to Council. The annual report will include:
- a. An overview of the activities of the committee during the previous year;
 - b. The intended direction or projects for the upcoming year; and,
 - c. Recommended revisions, as necessary, to the terms of reference.
- 7.2 Council upon receiving the annual reports may provide direction to the committee, determine if amendments to the terms of reference are required, or determine the advisability of the committee continuing.
- 7.3 The committee through the Committee Chair may elect to address Council as a delegation or provide communication to Council on behalf of the Committee at any point throughout the year. Unless mandated by Council, committees will not speak on behalf

of the Township or make representations on behalf of the Township without Council approval.

7. COMMUNICATION

7.1 This Governance Policy will be posted on the Township's Website.

8. EVALUATION

8.1 The Municipal Clerk will review this Governance Policy with the Corporate Leadership Team in advance of the recruitment cycle in the year of the Municipal Election and recommend any amendments to Council for consideration.