

 COUNCIL/LEGISLATED POLICY	Section #	Policy #
	7	05
	Approval Date: November 14, 2007	Revision Date:
Title:	ACCOUNTABILITY AND TRANSPARENCY POLICY	
Responsibility:	C&AS	Approval Level: Council
Applies to:	All Staff and Regional Councillors	

POLICY STATEMENT

The Regional Municipality of Waterloo is an accountable and transparent organization and is committed to:

- Openness and fairness when transacting Regional business,
- Efficient and effective financial management,
- An open, responsive meeting process that ensures citizen have access to and awareness of the Council/Committee business being discussed,
- Providing access to public information consistent with legislative requirements,
- Ensuring staff conduct themselves in accordance with policies, procedures and practices,
- Responding in a timely manner to inquiries, concerns and complaints,
- Ensuring delegated responsibilities are documented and include appropriate oversight,
- Knowing, understanding and following any legislative mandate approved by the Provincial or the Federal government.

The purpose of the policy provides guidance on how the Region of Waterloo ensures municipal matters are approached in an accountable and transparent manner, with emphasis on openness, ethics performance outcomes and fiscal responsibility.

DEFINITIONS

- 1) Accountability: The concept or principle that a municipality is responsible for their actions, decisions and policies and may be required to explain them and be answerable for resulting consequences.
- 2) Transparency: The concept or principle that the municipality is open, clear and visible to those we serve. Citizens must be able to “see through” a municipality’s inner workings to know exactly what goes on when public officials transact public business.

OPERATING PRINCIPLE

This policy, Accountability and Transparency Policy, is to function as the umbrella policy for the requirements of the *Municipal Act*.

The Region develops and approves policies, procedures and practices that contribute to creating an open, accountable, and transparent public organization. Those policies can be broken into 6 categories: These categories are defined below.

Category 1 – Open Government and Legislated Requirements - The Region of Waterloo is accountable and transparent to citizens by fulfilling various legislated responsibilities and the disclosure of information. The public decision making process is to be accountable and transparent at the Region. For these reasons the Region is dedicated to:

- Conducting its Council/Committee meetings and associated business in open session, except when permitted under the *Municipal Act* as amended,
- Providing notice of closed meetings in accordance with the *Municipal Act* as amended,
- Appointing a meeting investigator in accordance with the *Municipal Act*,
- Providing access to credible information that can be obtained through routine disclosure and in accordance with *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA) and *Personal Health Information Protection Act* (PHIPA).

The following are examples of provincial statutes that govern how the Region conducts its business in a public, accountable and transparent manner: *Municipal Act, 2001, Municipal Conflict of Interest Act, Provincial Offences Act, Municipal Freedom of Information Protection Act, Public Sector Salary Disclosure Act.*

Category 2 – Open Government and Regional Requirements – The Region of Waterloo is accountable and transparency to citizens by providing governance in an open manner. The following are examples of policies, procedures and practices that ensure the Region is transparent in its operations and citizens are aware of how decisions are made and carried out: Council Procedural By-law, Notice Policy, process for the public distribution of Council and Committee agendas and meeting documentation.

Category 3 - Financial Accountability, Oversight and Reporting – The Region of Waterloo is accountable and transparent to citizens by identifying the source of Region funds and how those funds are used to deliver services. The following policies, procedures and practices are examples that demonstrate the Region of Waterloo's financial accountability and oversight and reporting mechanisms: External Auditor and their report, Internal Audit program and reports, Financial Management By-law and reports, Execution of Documents By-law , Purchasing By-law and Reports.

Category 4 - Performance Measurement and Reporting – The Region of Waterloo is accountable and transparent to citizens by using various results oriented tools to measure progress on performance and the achievement of corporate service standards and goals. The Region is committed to producing performance information that measures how the Region is doing in all areas over which it has responsibility. The following are examples of policies and procedures in this category: Annual Report, Corporate Strategic Plan, Financial information Return and accompanying Municipal Performance Measurement program, Ontario Municipal Benchmarking Initiatives, internal performance measures, Quality of Life Reporting System through Federation of Canadian Municipalities.

Category 5 – Internal Accountability and Ethical Standards: Other Regional policies and procedures are also developed in response to Community and Corporate needs. The Region of Waterloo has established policies, procedures and practices that govern

internal accountability and ethical standards for the Region. Examples of these policies include Human Resources policies including the staff Code of Ethics, Corporate Strategic Plan including values, vision and mission statement, Hiring of Relatives policy, Guidelines for the use of equipment during elections, and Workplace Harassment Policy.

Category 6 – Other Legislated Requirements and Requirements from other Governments: The Region is responsible for a diverse range of responsibilities. In many cases legislation other than the Municipal Act mandates processes for Council to follow. Examples of these legislative requirements would be the Planning Act, Environmental Assessment Act, Safe Water Drinking Act, and Health Protection and Promotion Act. The Region also has several funding partners. These funding partners also impose financial reporting responsibilities onto the Region.

OPERATING DETAILS

The Policies identified above and within the control of the Region shall be subject to the following provisions:

- Include the operating details within the individual policies,
- Contain statement(s) regarding the consequences of not complying with the policy,
- Provide for a formalized complaint process

Municipal Act Policies: The following policies are required by the *Municipal Act* as amended: The procedural by-law, sale of land policy, hiring of employees policy, procurement of goods and services, public notice and associated processes, and delegation of powers and duties to committees, boards or individuals. Each policy of these *Municipal Act* policies and this policy shall also be subject to the following additional provisions:

- Policies shall identify within the policy when and how the policy will be reviewed to evaluate its effectiveness,
- Provide adequate notice when the policy is to be amended,
- Provide for a formalized complaint process.

The Policies identified in Category 6 shall follow the criteria established within the mandated legislative framework or the agreement with the funding partner. Reporting on these activities will occur as legislated.

REVIEW PERIOD

This policy shall be reviewed once per Council term. Notice for the review of this policy shall be given in accordance with the Region of Waterloo Notice Policy.

RESPONSIBILITIES

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

MONITORING/CONTRAVENTIONS

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

- a) in the case of staff, the Department Head and Director responsible for the area and the Director, Employee Relations,
- b) in the case of closed meetings, the meeting investigator,
- c) in the case of Council, the Regional Chair.

SEE ALSO:

Notice Policy #07-07

Sale and Disposition of Land By-law, 95-034

Purchasing By-law, 04-093

Employment of Relatives (HR Policy I-12)

Municipal Act, 2001, as amended