

<b>Accountability &amp; Transparency</b>	<b>Policy Number: LS2007-01</b>
<b>Division:</b> Legislative Services	<b>Owner:</b> City Clerk
<b>Effective Date:</b> January 1, 2008 <b>Review Date:</b> May 1, 2008	<b>Legislative Authority:</b> <u>Municipal Act, 2001</u> , s. 270(1)

## **POLICY STATEMENT**

The City of Markham will promote accountable and transparent municipal governance guided by the following principles:

1. Decision-making will be open and transparent;
2. Municipal operations will be conducted in an ethical and accountable manner;
3. Financial resources and physical infrastructure will be managed in an efficient and effective manner;
4. Municipal information will be accessible so that it is consistent with legislative requirements;
5. Inquiries, concerns and complaints will be responded to in a timely manner;
6. Financial oversight, service standards and performance reporting and all other accountability documents will be made available and accessible by the public in an easily understood format, to increase the opportunity for public scrutiny and involvement in municipal operation; and
7. Every new delegation of power or authority will have a corresponding accountability mechanism.

## **DEFINITIONS**

Accountability: The principle that the City is obligated to demonstrate and take responsibility for its actions, decisions, and policies and that it is answerable to the public at large.

Transparency: The principle that the City will conduct its business in an accessible, clear and visible manner and that its activities are open to examination by its stakeholders.

## **PURPOSE**

This Policy provides guidance on how the City of Markham ensures municipal governance is conducted in an accountable and transparent manner, with emphasis on openness, ethics, performance outcomes and fiscal responsibility.

## **APPLICATION**

As stipulated in Section 270 of the Municipal Act, 2001, this Policy applies to all City of Markham operations.

## POLICY REQUIREMENTS

The City of Markham demonstrates its commitment to accountability and transparency by providing a sound governance framework, comprised of a system of policies, procedures and practices. These policies, procedures and practices can be categorized as follows:

1. Legislated Requirements
2. Fiscal Accountability, Oversight and Reporting
3. Performance Measurement and Reporting
4. Open Government
5. Internal Accountability and Ethical Standards

### 1. **Legislated Requirements**

The City of Markham and its operations/governance are accountable and transparent to stakeholders by fulfilling various legislative responsibilities. The following are some of the provincial statutes that govern how the City conducts its business:

1. Municipal Act
2. Planning Act
3. Development Charges Act
4. Greenbelt Act
5. Assessment Act
6. Building Code Act
7. Safe Drinking Water Act
8. Municipal Conflict of Interest Act
9. Provincial Offences Act
10. Municipal Freedom of Information and Protection of Privacy Act
11. Public Sector Salary Disclosure Act
12. Cemeteries Act
13. Vital Statistics Act
14. Marriage Act
15. Fire Protection and Prevention Act
16. Emergency Management and Civil Protection Act
17. Public Libraries Act
18. Municipal Elections Act
19. Gaming Control Act and Order in Council#2688-93 (Lotteries)
20. Employment Standards Act
21. Occupational Health and Safety Act

### 2. **Fiscal Accountability, Oversight and Reporting**

The City of Markham and its operations/governance are accountable and transparent to stakeholders by identifying the source of funding for municipal operations. The following are examples of some of the policies, procedures and practices in place to ensure fiscal accountability:

1. Annual Report/Budget Binder

2. External Auditor Opinion and Management Letter
3. Auditor General and Reports
4. Annual Financial Statements
5. Capital Status Reports
6. Sale and Disposition of Land By-law 178-96
7. Delegation of Authority By-laws and Reports'
8. Purchasing By-law 2004-341, General Terms and Conditions, and Reports
9. Business Expense and Conferences Policy
10. Use of Corporate Resources for Election Purposes Policy
11. Corporate Procurement Card Policy
12. Expenditure Control Policy
13. User Fee By-laws 2002-276
14. Development Charges By-laws

### **3. Performance Measurement and Reporting**

The City of Markham and its operations/governance are accountable and transparent to stakeholders by using various results-oriented tools to measure performance and the achievement of corporate service standards and goals. The City of Markham is committed to producing performance information that measures how the City is doing in all areas over which it has responsibility, from financial reporting to human resource management to service delivery, including:

1. Annual Report
2. Annual Departmental Business Plans
3. Engage 21<sup>st</sup> Century Markham (Strategic Plan)
4. Municipal Performance Management Program
5. National Quality Institute (NQI) membership
6. Complaint tracking and feedback processes
7. Citizens Survey (conducted the 1<sup>st</sup> year after the election of a new Council)
8. Staff Satisfaction Survey (conducted every 2 years)

### **4. Open Government**

The City of Markham is open and accountable to stakeholders by providing governance in an open manner through communication, consultation and collaboration. The following are policies, procedures and practices that ensure the City is transparent in its operations and residents are aware of how decisions are made and carried out and are able to participate in the decision making process:

1. Council Procedural By-law 2001-1
2. Public Distribution of Council and Standing Committee Agendas and Reports (including the posting of these documents on the City's website)
3. Planning notice requirements (including courtesy notices requirements)
4. Web-streaming of Council and Standing Committee Agendas
5. Weekly City Information Page in local newspapers

6. Records Retention By-law 2001-101
7. Appointment Policy (Recruitment and Selection of members of Advisory Committees, Boards and Task Forces, and External Boards, Commissions and Authorities)
8. Multilingual Policy

**5. Internal Accountability and Ethical Standards**

The City of Markham has established policies, procedures and practices that govern internal accountability and ethical standards for the City, including:

1. Roles and Responsibilities of Council and Senior Management Policy
2. Code of Ethics and Conduct for City employees
3. Code of Conduct for Advisory Committee Members
4. Confidentiality Agreement
5. Employment of Relatives of Staff Members and Council Policy
6. Use of Information Technology Policy
7. Harassment in the Workplace Policy
8. Health and Safety Policies
9. Staff Performance Measurement Policy
10. Orientation and Continuing Education
11. Professional Development and Training

**POLICY RESPONSIBILITIES**

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

**MONITORING/CONTRAVENTIONS OF POLICY**

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

- 1) In the case of staff, the Department Head or Director responsible for the area;
- 2) In the case of a closed meeting, the Closed Meeting Investigator; and
- 3) In the case of Council, the Head of Council.

**QUESTIONS**

Questions regarding the content of this policy should be directed to the City Clerk, 101 City Centre Boulevard, Markham, Ontario, L3R 9W3, (905) 475-4744.