

 CITY OF Welland	Policy Title: Municipal Policy Governance Framework	
	Date of Approval: May 28, 2024	Policy Number: GOV-002-0003
	Lead Role: City Clerk	Support Role: Deputy Clerk
	Cross Reference:	Next Review Date: January 2026
	Council File Number: 24-67	Revision Date: N/A

Table of Contents

1.0	Purpose	2
2.0	Policy Statement	2
3.0	Definitions	2
4.0	Council Policies	2
5.0	Administrative / Operational Policies	3
6.0	Policy Review and Revision	4
7.0	Compliance and Enforcement	4
8.0	Policy Adoption and Amendment	4
9.0	Communication	5

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1. Purpose

The purpose of this policy is to establish a clear framework for the creation, adoption, and implementation of policies for the City. This framework delineates the roles and responsibilities of City Council and Staff in developing and administering policies in accordance with the *Municipal Act, 2001* or other relevant legislation.

2. Policy Statement

This policy applies to all policies developed and implemented by the municipal council and staff within the jurisdiction of the municipality.

3. Definitions

- **City Council** - Refers to the elected body responsible for making decisions on behalf of the City and exercising the City's powers.
- **Staff** - Refers to the officers and employees of the City whose role it is to implement the decisions of City Council, provide City Council advice and recommendations, and administer and execute policies and programs.
- **Policy** - Refers to a formal written document adopted by City Council or Staff to guide decision-making and actions of the City.

4. Council Policies

- Council policies express the intention of the decision-making body of the municipal corporation.
- Council policies centre around core “public policy” decisions that weigh competing economic, social and political factors which require value judgements
- Council Policies may also:
 - encourage or require Council to consider certain factors in decision-making, or refrain from considering irrelevant ones;
 - follow a particular process in making a decision; or
 - guide future actions and decision by Council
- *Municipal Act, 2001*, s. 270, sets out the mandatory policies the City must adopt:
 - sale and other disposition of land

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- hiring of employees
- relationship between members of council and officers and employees of the municipality
- procurement of goods and services
- provision of public notice
- accountability and transparency
- delegation of authority
- protection and enhancement of tree canopy and natural vegetation
- pregnancy and parental leave by members of council
- A council may adopt other discretionary policies:
 - elections recounts
 - allocation of servicing capacity
 - member of council expense policy
 - council vacancy policy

5. Administrative/Operational Policies

- Administrative/Operation Policies are the policies, practices and procedures established by municipal administration (i.e., staff) to assist in the implementation of council's public policy decisions.
- "Operational policies" distinct from a council's public policy decisions.
- Administrative/Operational Policies have the following purposes:
 - aid in the implementation of a council decision or policy.
 - ensure consistency in the provision of services and programs.
 - ensure services and programs are provided in a manner that meets the municipality's standard of care, level of due diligence.
- Implementation function of administrative policies
 - Council makes a "public policy" decision that the municipality take some action in respect of a matter.
 - Once that decision is made, questions remain as to how that decision will be implemented by municipal administration.

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- *Municipal Act, 2001*, s. 227 establishes that Municipal Administration's role is to “implement council's decisions and establish administrative practices and procedures to carry out council's decisions”.
- Administration must determine how the program will be carried out most effectively and efficiently.
- Developing administrative/operational policies often requires specialized expertise, or knowledge of subject matter or operations. The Municipal Administration is in the best position to determine these policies.

Administrative Policies and Liability

- Administrative policies also guide staff and contractors in executing the “public policy” decisions of the municipality.
- In some services and programs, municipalities owe a “duty of care” to the public and must take reasonable precautions to avoid foreseeable harms (i.e., the “standard of care”).
- Policies, practices and procedures ensure standards are established, and those standards are followed.

6. Policy Review and Revision

- Council policies shall be subject to regular review and revision as necessary to ensure their continued relevance and effectiveness.
- Staff shall conduct periodic reviews of administrative/operational policies to assess their efficiency, effectiveness, and alignment with council policies.

7. Compliance and Enforcement

- All municipal officials, employees, and contractors shall comply with council policies and operational policies in the performance of their duties.
- Non-compliance with policies may result in disciplinary action in accordance with applicable human resources policies and procedures.

8. Policy Adoption and Amendment

- Council policies shall be adopted through a formal resolution or by-law approved by the municipal council.

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- Administrative/Operational Policies shall be approved by the designated authority within the municipal administration.

9. Communication

- Council policies and operational policies shall be communicated to all relevant stakeholders, including elected officials, employees, contractors, and the public, as appropriate.
- Communication methods may include publication on the municipal website, Council Information Package, distribution via email or mail, posting in municipal facilities, and other means deemed suitable.

Revision History

Date	Description of Change	Initials