

Council Policy

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Number:	CP-013
Title:	Council-Staff Relations
Type:	Political Governance
Sub-type:	Accountability and Compliance
Owner:	CAO Office
	Division
Approved By:	Council
Approval Date:	February 25, 2019
Effective Date:	February 25, 2019
Revised Date:	October 6, 2025
Applicable to:	All Employees and All Members of Council

1. Legislative or Administrative Authority:

- 1.1. Subsection 270(1) of the Municipal Act, 2001, requires every municipality to adopt and maintain a policy regarding “the relationship between members of council and the officers and employees of the municipality.”

2. Purpose:

- 2.1. This policy provides guidance on how the Municipality of Clarington will promote a respectful, tolerant, and harassment-free relationship and workplace between Members of Council and the officers and employees of the Municipality of Clarington.
- 2.2. This Council-Staff Relations Policy is part of a broader framework of policies that support a productive working relationship between Members of Council and staff. These include, but are not limited to:
 - Council Code of Conduct
 - Employee Code of Ethics Policy
 - Enforcement Policy
 - Harassment Policy
 - Procedural By-law
 - Respectful Conduct Policy

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- Transparency and Accountability Policy
- Use of Corporate Resources for Election Purposes Policy

3. Scope:

- 3.1. This policy applies to all Clarington employees and all Members of Council.

4. Definitions:

- 4.1. "Administration" means, collectively, the Staff operating under the direction of the Chief Administrative Officer.
- 4.2. "Employee", also referenced as "Staff", has the same meaning as provided in the Employment Standards Act, 2000, S.O. 2000, c. 41, and are those persons who are employed by the Municipality of Clarington.
- 4.3. "Member" is a person elected, or appointed, to the Municipality of Clarington's Council.
- 4.4. "Non-Routine Matter" means a communication, request for information or service that is not typically undertaken in the ordinary course of business, and/or for which there is no routine process, procedure, guideline or convention to guide members of Staff.
- 4.5. "Officer" means an individual appointed by Council as a Statutory Officer under the Municipal Act, 2001. This includes, but is not limited to, the CAO, Municipal Clerk, Treasurer, Chief Building Official, and Fire Chief, as well as their designates.
- 4.6. "Routine Matter" means a communication by a Member of Council with a Member of Staff, in person, in writing, by phone, by text, or by other electronic means, which: a) in the ordinary course of business constitutes a type of communication that would typically occur between a Member of the Public and Staff; b) constitutes a request for information that is routinely produced by Staff in the course of their duties; c) constitutes a request for a service that is routinely done by Staff in the course of their duties; and, d) requires no expenditure of unbudgeted resources.

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- 4.7. "Senior Leadership" is a member of the Senior Leadership Team, consisting of the Chief Administrative Officer and the Deputy Chief Administrative Officers.

5. Policy Principles:

General

- 5.1. Members of Council and Staff are committed to adhering to the principles of this policy.
- 5.2. The flow of information between Members of Council and Staff should promote the principles of transparency, accountability and, where appropriate, confidentiality.
- 5.3. All email correspondence between members of Council and Staff shall be performed on Municipality of Clarington email only.
- 5.4. It is recognized that Members of Council have, pursuant to the *Municipal Freedom of Information & Protection of Privacy Act*, R.S.O. 1990, c. M.56 ("MFIPPA"), the same rights of access to information as members of the community, including, but not limited to, personal information (as defined in that Act). It is also recognized that Staff are only permitted to disclose personal information to Members of Council in accordance with MFIPPA.

Respectful Workplace and Mutual Respect

- 5.5. Members of Council and Staff are committed to a positive, healthy, and safe workplace in which every person is treated with respect and dignity. Incivility, harassment and discrimination, in any form whatsoever, is not tolerated, condoned or ignored.
- 5.6. Council, as a whole, exercises fiduciary and representative responsibilities concerning the operations of the Municipality, in partnership with the Administration, that is neutral, objective, and professional. Staff acknowledge the representative, direction-setting and policy-making role of Council while maintaining responsibility for management of daily operations.

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- 5.7. No Member of Council or Staff shall make comments that undermine public confidence, disparage, or harm the reputation of the Municipality, Council, Staff or co-workers. Nothing in this Policy, however, is intended to impede a Member's ability to express an opinion regarding a Council decision, whether in agreement or disagreement, provided that such expression is conducted in a manner that is respectful, constructive, and does not target individuals or groups personally. All such communication must remain in accordance with Council's Procedural By-law and all other relevant Council policies, including this Council-Staff Relations Policy.

Open and Clear Communication

- 5.8. Open lines of communication are essential. Members of Council and Staff should communicate openly and respectfully. However, formal communication channels exist to manage operational and administrative issues and should be respected.

Member of Council Expectations

- 5.9. Only Council, as a whole, has the authority to direct Staff to carry out specific tasks or functions. The Administration, under the direction of the Chief Administrative Officer, serves Council, as a whole, as expressed through resolutions passed at Council meetings.
- 5.10. Notwithstanding the previous statement, 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.
- 5.11. Members of Council may request information from Staff within their capacity as elected officials. If the requested information is readily available it will be provided, unless it is a) subject to confidentiality or privacy restrictions under applicable legislation, including the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA), b) not readily available, or c) requires significant staff resources to compile. In cases where b) or c) is applicable, Members may bring forward a motion at Council to authorize the use of staff resources to fulfill the request. This support is administrative in nature and does not constitute direction on municipal operations or policy matters.

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- 5.12. An individual Member of Council shall not direct Staff to undertake work, prepare reports, or seek preferred outcomes other than through the Council and Committee meeting processes as defined in the Procedural By-law.
- 5.13. Notwithstanding the previous statements, the Mayor may, in accordance with the Strong Mayor powers within Part VI.1 of the Municipal Act, direct Staff in certain circumstances.
- 5.14. It is expected that Members of Council will:
 - 5.14.1. Request Senior Leadership input prior to making policy decisions.
 - 5.14.2. Discuss issues with Senior Leadership and advise them of questions prior to Committee and Council meetings, whenever possible, for better-informed debate and evidence-based decision-making.
 - 5.14.3. Understand that their discussions with Staff may be communicated to other Members of Council, or others within the Administration, and that a Member of Council cannot compel Staff to confidentiality.
- 5.15. Respect the independent authority of Staff to interpret and apply policy, where such authority has been assigned to that staff position; and not involve themselves in matters of administration or departmental management.
 - 5.15.1. Consult with the appropriate member of Senior Leadership (or designate) prior to responding to constituents concerns or requests to ensure accurate information regarding Municipality policies, service levels, budgets and work plans.
- 5.16. It is expected that Members of Council will refrain from:
 - 5.16.1. Directing, instructing, or influencing Staff other than by giving appropriate direction through a Council or committee resolution (unless through Mayoral decision or direction under the Strong Mayor Powers as may be permitted); This is not meant to prohibit an individual Member of Council from providing advice, comments, or recommendations to Staff during a consultation process initiated by Staff.
 - 5.16.2. Contacting Staff below the level of Manager on Council related business prior to consulting with Senior Leadership of that department.

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- 5.16.3. Directing, or attempting to influence Staff, Staff recommendations, or what Staff include or recommend in written reports or presentations to Council or committees or directing Staff to provide copies of drafts of any such reports or presentations prior to inclusion on an agenda.
- 5.16.4. Directing, instructing, or influencing an Officer in the performance of their statutory, legislative, or other legal duties and responsibilities.
- 5.17. Directing, instructing, or influencing any Staff in enforcement or other legal matters.
 - 5.17.1. Expecting or requesting a waiver of policies, standard procedures, or processes, or rates and fees in their interactions with Staff. This does not prevent a Member of Council from putting forward a motion, through the Committee/Council process to address their waiver request.
 - 5.17.2. Attending technical meetings scheduled by Staff, between Staff and consultants, applicants, contractors or legal advisors.
 - 5.17.3. Including Staff on email communication with the Public, without Staff's prior consent.
- 5.18. It is expected that Staff will:
 - 5.18.1. Recognize Council's role as the governing body for the Municipality and the elected voice of the citizens.
 - 5.18.2. Ensure that Council is apprised of known issues that may impact upon their decision-making process.
 - 5.18.3. Provide their professional advice and recommendations in good faith, political neutrality and based on complete information.
 - 5.18.4. Notify Council, of changes to legislation and any unintended or unexpected impacts of policy decisions through Council Briefing Notes, Council Reports, and presentations where appropriate.
 - 5.18.5. Give effect to the lawful decisions, policies, and procedures of the Council, whether or not the Staff member agrees with or approves of them.

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5.18.6. Use their professional judgement in responding to both Routine and Non-routine Matters.

- For Routine Matters: 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. At the request of Members of Council, Staff may also communicate directly with a Constituent or Member of the Public on the issue raised by the Councillor, unless such communication is restricted by legislation, by-law or policy, or would undermine the role of Council. Staff are not expected to respond to a Member of Council request outside of normal working hours except in the case of emergencies.
- For Non-routine Matters: Members of Council should direct the inquiry to the CAO or to another member of Senior Leadership, who will respond, or direct Staff to respond to the inquiry. Senior Leadership will, where appropriate, communicate with Members of Council regarding non-routine initiatives or issues that affect the Member's ward and/or regarding Council/Committee reports on significant issues that affect the Member's ward prior to a Council or Committee meeting at which the issue will be discussed.

5.18.7. When responding to inquiries from individual Members of Council, staff shall copy all Members of Council on the response where the information may be of general interest or help avoid duplication of requests. These communications are for informational purposes only and shall not be used to solicit responses or advance Council business.

5.19. It is expected that Staff will refrain from:

5.19.1. Knowingly providing misleading or incorrect information to Members of Council.

5.19.2. Showing favouritism to individual Members of Council.

5.19.3. Providing confidential or personal information to Members of Council unless permitted under Municipality By-law or policies, and subject to or pursuant to the *Municipal Freedom of Information & Protection of Privacy Act*.

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6. Concerns from Council

- 6.1. Members will direct any concerns, respecting Staff, through the Chief Administrative Officer.
- 6.2. Notwithstanding the previous statement, the Mayor may, in accordance with the Strong Mayor powers within Part VI.1 of the Municipal Act, deal directly with employees under their responsibility.
- 6.3. Members will direct any concerns, respecting the Chief Administrative Officer to the Mayor, acknowledging the Chief Administrative Officer reports to the Mayor.

7. Relationship Guidance

- 7.1. The relationship between Members and the Staff is guided by the following:

Council Code of Conduct

- 7.1.1. The Council Code of Conduct encourages high standards of conduct among Members. Adherence to these standards protects and maintains the reputation and integrity of the Members and the Municipality.

Employee Code of Ethics Policy

- 7.1.2. The Employee Code of Ethics Policy is founded on the notion of ensuring integrity in public services through the recognition and promotion of the fundamental principles of transparency, impartiality, respect, and accountability, including interactions with Members of Council. As such, these general principles are detailed in the prevailing Employee Code of Ethics Policy.

Enforcement Policy

- 7.1.3. The Municipal Law Enforcement Policy establishes a transparent, fair, and impartial framework for the enforcement and prosecution of relevant laws within Clarington. It outlines the roles and responsibilities of staff and Council Members, emphasizing the independence of Municipal Law Enforcement Officers in making enforcement decisions free from political influence. Council Members are expected to respect this independence, refrain from interfering in investigations, and follow

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appropriate channels when reporting infractions. The policy also details complaint procedures, prioritization of enforcement actions, and safeguards against frivolous or vexatious complaints.

Harassment Policy

- 7.1.4. The Corporation of the Municipality of Clarington is dedicated to providing a healthy and safe work environment. Acts of workplace harassment by staff, volunteers, visitors, contractors, or vendors will not be tolerated. The Municipality of Clarington has a policy of zero tolerance towards workplace harassment.
- 7.1.5. The Harassment Policy provides a standard of conduct for Employees in the carrying out of their work assignments and their relationships with the public, elected officials, and each other. Any complaints related to Members or Employees must follow the process outlined in the prevailing Harassment Policy, which indicates that the matter will be addressed through the Council Code of Conduct, Complaint Procedure, or by the Integrity Commissioner. The Integrity Commissioner will report to Council in accordance with the governing protocol of that Office.

Procedural By-law

- 7.1.6. The Procedural By-law establishes the rules, procedures and conduct applicable to Council and Committee meetings.

Respectful Conduct Policy

- 7.1.7. The Respectful Conduct Policy provides guidance on promoting respectful and harassment-free interactions among staff, customers and residents. This policy includes a structured framework for employees to respond to disrespectful conduct which includes harassment, violence, frivolous or vexatious communication, and unreasonable behaviour.

Transparency and Accountability Policy

- 7.1.8. The Transparency and Accountability Policy provides guiding principles to ensure Clarington's commitment to being accountable to the public for its actions, through responsible and transparent behaviour.

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Use of Corporate Resources for Election Purposes Policy

- 7.1.9. The Use of Corporate Resources for Election Purposes Policy provides guidance on the appropriate use of corporate resources during municipal, school board, provincial and federal election campaigns, and campaigns on a question on the ballot to protect the interests of both Members and the Corporation.

8. Roles and Responsibilities:

8.1. Council is responsible for:

- 8.1.1. Adhering to this policy and its governing provisions.

8.2. Chief Administrative Officer (CAO) is responsible for:

- 8.2.1. Ensuring that all employees are aware of this policy and adhere to the policy and its governing provisions.

8.3. All Staff are responsible for:

- 8.3.1. Adhering to this policy and its governing provisions.

9. Related Documents:

- Council Code of Conduct
- Employee Code of Ethics Policy
- Enforcement Policy
- Harassment Policy
- Procedural By-law
- Respectful Conduct Policy
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10. Inquiries:

- 10.1 The Chief Administrative Officer is responsible to interpret the Policy. Any questions should be directed to the Chief Administrative Officer.
cao@clarington.net

11. Revision History:

Date	Description of Changes	Approved By
2019-02-25	Arising out of Report CLD-004-19, initial creation of Council-Staff Relations Policy.	Council
2024-06-24	Arising out of Report LGS-023-24, additions to definitions; sections regarding Strong Mayors and Use of Corporate Resources for Elections Purposes Policy. Converted to new Council Policy template.	Council
2025-10-06	Updated Policy as per Report CAO-018-25.	Council