


POLICY

	Policy:	Appointment to Local Boards and Committees		
	Department:	Office of the CAO		
	Division:	Clerk's Division	By-Law No.:	N/A
	Administered By:	Clerk	Approval Date:	January 23, 2023
	Replaces:	Boards and Committees Appointment Policy – Sept. 26, 2011		
	Attachment(s):	N/A		

1. POLICY STATEMENT

The Corporation of the Town of Amherstburg is committed to ensuring a fair and equitable appointment process to Town Boards and Committees where the most qualified applicants are appointed as Members and applicants are representative of Amherstburg's diverse community with a broad range of experience and skills.

2. PURPOSE

2.1. This policy provides for the recruitment and selection process for citizen members to Boards and Committees.

3. SCOPE

3.1. This policy applies to citizen member appointment to Amherstburg Boards and Committees. It does not apply to the appointment of Members of Council or Staff to Boards or Committees. This Policy does not apply to Boards and Committees which are subject to their own applicable legislative requirements, governing By-laws and/or legal requirements regarding Board and Committee appointments.

3.2. This policy shall be reviewed every five (5) years from the date it becomes effective, and/or sooner at the discretion of the CAO.

4. DEFINITIONS

4.1. **Board(s), Committee(s)** are Advisory Committees, Statutory Committees, Ad-Hoc Committees or Boards, established by a resolution of Council or by enabling legislation, to provide advice, make recommendations; fulfill a statutory or quasi-judicial role; organize events; or provide program support among other functions.

4.2. **Eligibility** refers to the qualifications established by Council that an applicant must possess in order to serve on Boards and Committees.

4.3. **Orientation Session** refers to a training session for new Members of Boards and Committees.

4.4. **Short Listed Applicants** are those applicants whose applications have been added to a list determined by the Clerk of the most qualified for appointment to a particular Board or

Committee. Persons appearing on this list can be appointed or considered as alternatives if a vacancy arises.

- 4.5. **Term of Council** is the period of time for which Council is elected to serve, as governed by applicable legislation.
- 4.6. **Terms of Reference** are documents outlining the mandate and board or committee operational details including such things as composition, activities, term, quorum, meeting schedule, staff roles and the like. Terms of Reference must be approved by Council, including any amendments.

Common definitions, acronyms, and terms are available in the Glossary located on the Town's Policies webpage.

5. INTERPRETATIONS

Any reference in this policy to any statute or any section of a statute shall, unless expressly stated, be deemed to be reference to the statute as amended, restated or re-enacted from time to time. Any references to a by-law or Town policy shall be deemed to be a reference to the most recent passed policy or by-law and any replacements thereto.

GENERAL CONDITIONS

5.1. Eligibility and General Qualifications of Members

- 5.1.1. Unless expressed otherwise in the Terms of Reference of a particular Board or Committee, all citizen members must be:
 - 5.1.1.1. 18 or more years of age, unless otherwise specified in the Terms of Reference for the applicable Board or Committee, or where youth representation is required.
 - 5.1.1.2. Resident or ratepayer of the Town of Amherstburg unless it is deemed by Council that there is a need to acquire specialized knowledge, experience or representation, or a need to maintain continuity within a Board or Committee and requires reappointment of a Member who is no longer a resident or ratepayer of the Town of Amherstburg.
- 5.1.2. To remain on the Board or Committee, citizen members are required to maintain the status of either resident or ratepayer of the Town of Amherstburg throughout their term of appointment.
- 5.1.3. Members are responsible for advising the Clerk of any change with respect to their eligibility to serve on Boards or Committees. The Clerk, in consultation with the appropriate Staff, will then decide if the Member is still eligible to serve on the Boards and Committees based on other qualifying criteria.
- 5.1.4. Employees of the Town of Amherstburg are not eligible to serve as Members of Committee or Local Boards.

5.2. Term and Length of Service on a Board or Committee

- 5.2.1. Members will be appointed for a period of time set out in the Terms of Reference for the applicable Board or Committee, which will not exceed the Term of Council.
- 5.2.2. Notwithstanding Section 3.1, Members may be appointed beyond the Term of Council where required by legislation.
- 5.2.3. Notwithstanding Section 3.1, Members will continue to be appointed and serve beyond the Term of Council until the appointment of successors or the dissolution of the Board or Committee by the succeeding Council.
- 5.2.4. Members will not be appointed to more than two (2) Boards or Committees in a Term of Council with the exception to those serving on quasi-judicial bodies (such as Property Standards or Fence Viewers) that meet as needed, as determined by the Clerk.
- 5.2.5. Members will not be appointed for more than two (2) consecutive terms on the same Board or Committee. Notwithstanding the foregoing, Council may reappoint a Member beyond two (2) consecutive terms if deemed necessary by Council to maintain continuity and to achieve balance between new and experienced Members.
- 5.2.6. Members eligible for reappointment must complete an application form and submit it to the Clerk.
- 5.2.7. Members that have served two (2) consecutive terms on one (1) Board or Committee may apply to serve on another Board or Committee.

5.3. Member Recruitment Process

- 5.3.1. The recruitment of Members will begin once a new Council has been sworn in, and, if applicable, following any changes the Terms of Reference for the applicable Boards and Committees, or after the establishment of any new Boards and Committees.
- 5.3.2. The recruitment process includes written advertisement. The advertisements for vacancies on Boards and Committees will contain the following information:
 - 5.3.2.1. Member eligibility;
 - 5.3.2.2. Meeting frequency and time;
 - 5.3.2.3. Information on how to obtain the following:
 - a. An application form;
 - b. Board or Committee Terms of Reference;

- c. Notice informing applicants of the requirement to attend an orientation session and to sign and adhere to the Code of Conduct for Members of Council, Committees and Local Boards; and,
 - d. Information with respect to attending a Board or Committee meeting prior to submitting an application;
- 5.3.2.4. Details with respect to submitting an application including, without limitation, application deadline, where to submit the application or the application process;
- 5.3.2.5. A note that personal information is collected in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*;
- 5.3.3. Vacancies on Boards and Committees will be advertised in the local newspaper and on the Town website, as determined by the Clerk. For active outreach to designated groups, advertising may be specifically targeted to the particular groups where there are potential citizen members, such as, trade bulletins and publications and community newsletters.
- 5.3.4. Boards and Committees may have one or more position in its composition designated to a stakeholder with a specialized knowledge, experience or representation. Council may fill this type of vacancy in the following manner:
 - a. By invitation;
 - b. Outreach to specific organizations; or,
 - c. Other means deemed appropriate by Council.
- 5.3.4.2. Activities with respect to filling Board and Committee vacancies where specialized expertise is required will be coordinated by the Clerk, in consultation with applicable staff.

5.4. **Application Process**

- 5.4.1. Application forms shall be made available in the Municipal Offices and also be made available on the Town's website.
- 5.4.2. All applicants will submit to the Clerk a completed application, together with a resume, and, other supporting information, where applicable.
- 5.4.3. Completed applications must be submitted before the deadline prescribed by the Clerk in order to be considered for appointment to Boards and Committees.
- 5.4.4. Applicants applying to more than one vacancy will be requested to prioritize their preference.
- 5.4.5. Applicants shall submit an application form for each Board or Committee that they wish to be considered for.
- 5.4.6. The Clerk may extend the application submission deadline when there are an insufficient number of applications deemed appropriate.

- 5.4.7. Applicants may be required to complete supplementary screening requirements, such as a criminal record check; all applicants exposed to children will be required to complete a vulnerable sector screening. These requirements will be noted in the recruitment advertisement and are considered part of the eligibility requirements for Members of a particular Board or Committee.
- 5.4.8. All personal information collected in the application process, is collected in accordance with the *Municipal Freedom of Information and Protection of Privacy*, and will be used to determine eligibility for appointment.

5.5. Confidentiality Requirements and Obligations

- 5.5.1. The *Municipal Freedom of Information and Protection of Privacy Act* imposes confidentiality duties and obligations on the Town of Amherstburg and Members of Council to refrain from disclosing personal information. In furtherance of those duties and obligations, the following procedures are provided:
 - 5.5.1.1. Only members of designated Town staff who are providing support in the selection process shall be provided with copies of the applications.
 - 5.5.1.2. Members of Council shall return all applications and related confidential material in their possession to the Clerk once Council approves the appointments.
 - 5.5.1.3. Members of Council may not copy, disclose or otherwise disseminate information contained in any confidential lists of applicants, or in any applications, confidential reports, or other information received at in-camera sessions, nor may they repeat any confidential information heard at those meetings.

5.6. Selection Process

- 5.6.1. Once the deadline for receiving applications has past, and the Clerk feels that there are an adequate number of appropriate applications, the Clerk will review the applications and create a list of applicants for Council consideration.
- 5.6.2. Unless the Council decides otherwise, current Members that are eligible for reappointment will be evaluated in the same way as all new applicants.
- 5.6.3. The Clerk will provide the list and all applications to Council on a Confidential Agenda for consideration by Council in accordance with section 239 (b) of the *Municipal Act*. Only those meeting the applicant qualifications will be brought forward.
- 5.6.4. Once Council makes its appointments, the Clerk will send a letter to all successful Applicants advising them of their appointment and providing them with the Board or Committee staff liaison.

- 5.6.5. All newly appointed Members of Boards and Committees will sign a Statement of Commitment to the Code of Conduct that will be provided to Members in their orientation package.
- 5.6.6. The Clerk will notify the applicable staff of the appointment and provide them with information on how to contact the new Member(s).
- 5.6.7. The Clerk will maintain a confidential database containing all appointments to Boards and Committees.

5.7. Vacancies

- 5.7.1. Vacancies on Boards and Committees are created when a Member resigns or vacates the position, effective:
 - 5.7.1.1. The date of the resignation; or,
 - 5.7.1.2. The date the Member is removed by Council resolution; or,
 - 5.7.1.3. The date the Member no longer qualifies for the position; or,
 - 5.7.1.4. The date of the death of the Member.
- 5.7.2. A Member who is resigning from their appointed position will submit a written letter of resignation to the Clerk.
- 5.7.3. Whenever possible, vacancies will be filled from the Short Listed Applicants for particular Boards and Committees; otherwise vacancies will be filled as specified in this policy.

5.8. Orientation for New Members

- 5.8.1. The Clerk in consultation with appropriate staff will provide new Members with an orientation prior to the first meeting, which will generally review such items as:
 - 5.8.1.1. Statement of Commitment to the Code of Conduct to be signed upon completing the orientation session;
 - 5.8.1.2. Previous meeting minutes;
 - 5.8.1.3. Terms of Reference;
 - 5.8.1.4. A copy of the *Conflict of Interest Act*;
 - 5.8.1.5. Town of Amherstburg Procedural By-law;
 - 5.8.1.6. The Code of Conduct for Members of Council, Committees and Local Boards;
 - 5.8.1.7. Town of Amherstburg Accessible Customer Service Policy;

5.8.1.8. Other relevant documentation deemed appropriate for volunteers prepared in cooperation with key stakeholders.

5.8.2. Staff will, whenever possible telephone new Members to provide them with meeting details and to address any questions or concerns.

5.8.3. At the onset of each Council term, once Council makes its appointments, the Clerk will hold an Orientation Session for newly appointed Members. An Orientation Session will also be held for Members appointed to fill a vacancy in the midst of a Term of Council, when there is sufficient attendance to hold an Orientation Session.

5.9. **Leave of Absence**

5.9.1. A Member who would like to take a leave of absence for an extended period of time must obtain the approval of Council. The approved request will be forwarded to the Clerk.

5.9.2. Council may appoint a temporary Member to the Board or Committee. The temporary vacancy will be filled as prescribed in this policy. The Member whose spot is vacant as a result of a leave of absence will not be included towards establishing quorum until the temporary vacancy is filled.

5.10. **Exceptions to This Policy**

5.10.1. Where a conflict exists between the provisions of this policy and any legislative or legal requirement, the legal requirement will prevail.

6. **RESPONSIBILITIES**

6.1. **Council** has the authority and responsibility to:

6.1.1. Adopt the *Appointment to Local Boards and Committees Policy*.

6.2. The **CAO** has the authority and responsibility to:

6.2.1. Ensure adherence to the *Appointment to Local Boards and Committees Policy*.

6.3. The **Clerk** has the authority and responsibility to:

6.3.1. Ensure Council is notified of any vacancies on Local Boards or Committees.

6.3.2. Ensure that vacancies are advertised as directed by Council.

6.3.3. Ensure applications are reviewed and only those qualified candidates are provided to Council for consideration.

6.4. **Staff** have the authority and responsibility to:

6.4.1. Abide by the *Appointment to Local Boards and Committees Policy*.

7. **REFERENCES AND RELATED DOCUMENTS**

7.1. *Municipal Act*

7.2. *Municipal Conflict of Interest Act*

7.3. *Code of Conduct – Council, Committees and Local Boards*