

Extension of the Public Appointments Policy to Advisory Bodies

Date:	April 21, 2008
To:	Civic Appointments Committee
From:	City Manager
Wards:	ALL
Reference Number:	

SUMMARY

This report responds to a November 2007 Council request to provide a list of the City-established advisory bodies (Attachment 2) to which the Public Appointments Policy objectives will apply in order to achieve enhanced diversity objectives. It also recommends an amendment to the Public Appointments Policy to deal with advisory bodies established in the future and protocols for reporting membership diversity.

RECOMMENDATIONS

The City Manager recommends that the following recommendations be forwarded to the Executive Committee for recommendation to Council:

1. Council amend the Public Appointments Policy by adopting Attachment 1 to this report as the policy for appointment of advisory bodies;
2. Council authorize staff to make any further necessary changes to the Public Appointments Policy to incorporate this policy;
3. Council require that the terms of reference for advisory bodies that meet the policy criteria address diversity objectives; and
4. Council direct staff supporting each advisory body to review the composition at the beginning of each term of Council to ensure that the City's diversity objectives can be achieved.

Implementation Points

1. CMO developed a list of all advisory bodies, reviewed the terms of reference for each and consulted with staff supporting each committee to develop the list in Attachment 2 that meets the criteria for application of the Policy.
2. CMO engaged staff supporting advisory bodies to raise awareness of City Council's directions and diversity objectives. On March 7, 2008, an education and consultation meeting was held with Divisional staff to roll out the Council decision, distribute a nomination process tool kit, and provide instruction on diversity reporting.
3. Staff supporting the advisory bodies have committed to gathering diversity information and reporting results.
4. The City's intranet site and a CD of the nomination process toolkit to support recruitment for advisory bodies is being developed by Strategic Communications.
5. The CMO established a diversity reporting protocol and will provide orientation for City staff supporting each advisory body for diversity reporting at the end of the next appointment cycle.
6. The City Clerk has a protocol to keep the inventory of advisory bodies appointed by political bodies up-to-date for tracking and reporting purposes.

Financial Impact Statement

There are no immediate financial impacts arising from this policy. For the next cycle of recruitment, it is anticipated that divisional staff who support advisory bodies will need to ensure that there is a budget to conduct adequate outreach and advertising activities, which are central to an open and accessible recruitment process.

This will not incur a significant net increase in expenditures. Divisional staff supporting the existing advisory bodies are already engaged in some form of outreach and/or advertising for vacancies, and there may also be opportunities in future to collaborate in joint advertising and more extensive use of the City website to advertise such opportunities. It is therefore anticipated that costs can be contained.

The Deputy City Manager and Chief Financial Officer has reviewed this report and agrees with the financial impact statement.

Equity Impact Statement

The major equity objective of this policy is to build the City's capacity to represent the community in the planning of services delivered within a diverse community. This is addressed in this policy by:

- (a) ensuring that the composition of advisory bodies is designed with diversity objectives in mind;
- (b) ensuring that the selection process for members of advisory bodies encourages balanced participation with respect to gender, age, Aboriginal status, race, disability, sexual orientation, and geographic representation; and
- (c) measuring results.

DECISION HISTORY

On September 25, 26 and 27, 2006, Council approved the Public Appointments Policy that governs resident appointments to the City's agencies, boards, commissions and corporations, and City nominations to external special purpose bodies. In the Public Appointments Policy, Council acknowledged the need to take positive measures towards achieving greater diversity on the City's decision-making boards.

The Civic Appointments Committee so far this term has achieved significant progress towards balanced diversity on boards, due to targeted outreach, diligence in making selections, and continual monitoring against objectives.

The Policy did not, however, specifically apply to the City's advisory bodies. Council has now directed that these equity and recruitment objectives be extended to the City's advisory bodies by adopting the following motion (EX13.14) on November 19 and 20, 2007:

1. The City Manager's Office be directed to identify advisory bodies and committees that currently do not follow the City's Public Appointments Policy, that have a City-wide mandate, that are supported by staff and that have citizen members appointed by Committee or City Council to the Executive Committee, through the Civic Appointments Committee, by April 1, 2008, on the committees to be included.
2. The City's Public Appointments Policy equity objectives and selection objectives be extended to include all of the City's advisory bodies and committees noted in Part 1, by April 2008.
3. The recruitment process for citizen appointments to the advisory bodies/committees noted in Part 1 be guided by the same recruitment process for civic appointments to agencies, boards and commissions, by April 2008.

4. The City Manager's Office be directed to conduct a diversity analysis of all bodies identified in Part 1 at the end of the next appointments cycle, and report their findings to the Executive Committee, through the Civic Appointments Committee.

Background Information

City of Toronto Public Appointments Policy Governing Appointments to City Agencies, Boards, Commissions and Corporations and Nominations to External Special Purpose Bodies (approved by Council at its September 25, 26 and 27, 2006 meeting):

<http://www.toronto.ca/public-appointments/pdf/public-appointments-policy.pdf>

COMMENTS

Generally advisory bodies established to date have been structured to provide specific expertise or to represent a range of stakeholder or special interest groups. Often, external organizations are requested to nominate members where the selection process is not solely in the City's hands. In such cases, it is difficult to balance diversity among the membership. The composition of the advisory bodies concerned is detailed in Attachment 2 to this report. If Council adopts the recommendations in this report, the bodies named in Attachment 2, as well as any newly-established bodies fitting the criteria, will automatically come under this policy.

However, it is important that the City receive advice from people who understand the needs of the City's diverse population. One way of achieving that objective is to ensure that the membership of advisory bodies reflects the diversity of the population with respect to gender, age, Aboriginal status, race, disability, sexual orientation, and geographic representation.

Flexibility in the recruitment process for advisory bodies is essential to recognize their unique functions and to expedite business needs. The proposed policy permits this flexibility, while adhering to the primary principles.

In addition, the policy must be adaptable so that it can apply equally well to advisory bodies fitting the criteria that may be established in future. The new policy does not detail every advisory body. In this way, it need not be amended frequently.

For advisory bodies, diversity results will be measured for all members regardless of recruitment method. Staff will have to work with external nominating bodies to ensure demographic balance is achieved for all members.

The City Manager's Office will conduct a baseline diversity survey on all existing advisory bodies before the end of this term of Council in order to determine how well the membership is currently balanced. In this way, the relative effectiveness of any new recruitment methods can be measured against this baseline data.

It is also proposed in this report that staff supporting advisory bodies review the composition of each body as part of the process for reconstituting them at the beginning of the next term. Staff should look for ways of removing barriers to achieving diversity objectives.

CONTACTS

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SIGNATURE

Shirley Hoy, City Manager

ATTACHMENTS:

Attachment 1: Public Appointments Policy Governing Designated Advisory Bodies ("Appendix H")

Attachment 2: Existing Advisory Bodies Included in the Public Appointments Policy

Public Appointments Policy Governing Designated Advisory Bodies

Terms Used:

The meaning of terms used in this Policy are as defined in the Public Appointments Policy and apply where appropriate and with necessary modifications to this portion of the Policy.

In addition, the following terms have the meanings indicated for the purpose of convenient reference or interpretation of this Policy in the context of advisory bodies.

Term	Definition
Advisory Bodies	Bodies or committees that advise City staff or a Committee of Council. These bodies do not deliver municipal services, direct staff, or make decisions binding on the City.
Composition of advisory body	The number of members approved by Council or Committee, including the balance between Members of Council and residents, and identification of any organization outside the City that is invited to nominate a member. The composition of each body will vary according to specific business and citizen engagement objectives and is contained in the terms of reference for the advisory body.

Preamble:

The provisions and procedures in the City's Public Appointments Policy, may generally be applied to guide any application, recruitment and selection processes for advisory bodies. This may include the use of forms and tools for applications, diversity monitoring and reporting, and advertising provided from that process.

The sections of the Public Appointments Policy setting out requirements under the Municipal Conflict of Interest Act, Standards of Conduct, Municipal Freedom of Information and Protection of Privacy Act, shall apply, with necessary modifications, to the selection and recruitment of members of advisory bodies. These are included in Part VI and VIII of the Policy.

Part I: Purpose and Application of the Policy

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| 1.1 | Purpose of the Policy | This policy provides recruitment objectives and guidelines to ensure the City's priorities are met in the selection of citizen members for advisory bodies. |
| 1.2 | Policy Applicability | This policy applies to all citizen appointments to advisory bodies that meet the following criteria: <ul style="list-style-type: none">i. have a City-wide mandateii. are supported by staff; andiii. composed of citizen members appointed by a political body including the Mayor, Council, Community Council or other Committee of Council |

Part II: Guiding Principles

Section	Subject	Policy
2.1	Introduction	<p>A commitment to community participation and community service is considered key to the City of Toronto's future. Part of that commitment can be fulfilled by Toronto residents providing high calibre advice as members of the City's advisory bodies.</p> <p>The priorities for appointment of members of the public to serve on the City's advisory bodies are to:</p> <ul style="list-style-type: none">a) meet the business needs of City Council and program staff in the development of programs, policies and services which reflect the needs of the population at large;b) to provide a variety of perspectives, reflecting the diversity of the community;c) represent stakeholder groups;d) bring specific skills and expertise that contribute to good governance;e) represent specific groups of service users; and/orf) bring external funding, sponsorship, volunteers, or profile to the service.
2.2	Open, Inclusive and Equitable Process	The City has a commitment to an open, inclusive and equitable appointments process to encourage broad participation of residents in the democratic functioning of the City.

Section	Subject	Policy
2.3	Selection Objectives	<p>Council recognizes that the needs of the City are best met when residents are matched to the required functions and purpose of the individual advisory body.</p> <p>Council also recognizes that the City is best served by advisory bodies that reflect the geographic distribution and diversity of the community. Proactive strategies in achieving this result shall be followed.</p>

Part III: Diversity Objectives And Terms of Reference

Section	Subject	Policy
3.1	Terms of Reference and Composition	<p>The terms of reference for each advisory body should:</p> <ol style="list-style-type: none"> a) set out the required functions and purpose of the advisory body that meet the needs of the City; b) identify the skills, expertise, stakeholder interest, or perspectives that contribute the needed advice; c) take into consideration the selection objectives in section 2.3; and d) set out a composition consistent with the above.

Part IV: Recruitment Methods

Section	Subject	Policy
4.1	Flexible Process	<p>Given the unique nature of advisory bodies (varying terms of engagement, program and project specific focus, decentralized staff support), it is the intention of this policy to maintain maximum flexibility in the process by which members are selected, while providing mechanisms to enable desired equity, diversity and recruitment outcomes.</p>
4.2	Nominating Panel	<p>Nominating panels may be a committee or individual delegated the responsibility for recommending candidates for appointment. In most cases, this panel will consider a variety of individuals who meet the selection criteria, short-list those who most closely match the requirements, may conduct interviews, and nominate the best candidates. In some cases, separate recruiting panels may conduct each step in the process.</p>
4.3	Recruitment Methods	<p>Nominating panels may use a variety of methods for recruitment including, but not limited to:</p>

Section	Subject	Policy
4.4	Diversity Outreach	<p>1) open, advertized process 2) nomination by external interest group 3) invitation of individual experts in a desired field</p> <p>City staff may also conduct advance outreach initiatives to ensure that equity-seeking groups can be recruited successfully.</p>

Part V: Diversity Information and Selection

5.1	Self-Identified Diversity Information	<p>To enable the City to achieve its objectives for access, equity and diversity and to assist the City in its efforts to appoint members that reflect the diversity of the community, candidates are encouraged to complete a self-identification diversity survey.</p> <p>A corporately approved standard form must be used for the diversity survey to aid in collection of the same date from all sources.</p>
5.2	Diversity Monitoring	<p>Self-identified diversity data at each stage of the selection process (applicant pool, short-listed candidates, appointed members) may be monitored and reported on in summary form. The identities of specific candidates shall be kept confidential.</p> <p>The purpose of this monitoring is to assess how well Council’s diversity objectives have been met and ascertain what improvements could be made such as targeted outreach or removing barriers to participation.</p>
5.3	Diversity Reporting	<p>City staff who support advisory bodies are required to collect diversity surveys from members of advisory bodies, fill in a standardized summary sheet and submit it to the designated corporate staff for roll-up in accordance with an established protocol.</p> <p>Designated corporate staff shall submit a summary report on diversity results at the end of the recruitment cycle comparing to previous results.</p>

Attachment 2

Existing Advisory Bodies Included in the Public Appointments Policy

This list of advisory bodies to which the Council policy applies has been developed in accordance with the following criteria as directed by Council November 19, 20, 2007:

- Those advisory bodies which have a City-wide mandate;
- That are supported by staff; and
- That have citizen members appointed by the Mayor, City Council, or its Committees

Advisory Body/Committee	Current Composition as Approved by Council (to Be Reviewed at the Beginning of Each Term)
Advisory Committee on Homes for the Aged	<ul style="list-style-type: none"> • 1 Councillor • 10 citizen members (including: <ul style="list-style-type: none"> ➢ Chair, Division's Inter-Home Advisory Committee ➢ Chair, Inter-Home Volunteers ➢ Residents' Council Rep ➢ minimum of 6 interested citizens <p>Terms of Reference: Community Services Committee Report 1, Clause 5, City Council January 30, 31 and February 1, 2001</p>
Art Committee for Public Places	<ul style="list-style-type: none"> • 3 Councillors • 11 citizen members who reside in or own a business in the City of Toronto <p>Terms of Reference: Ec Dev and Parks Comm. Rep 7, Clause 9, Council July 24-26, 2001</p>
Children's Services Children's Advisory Committee	<p>Up to 20 members:</p> <ul style="list-style-type: none"> • 3 Members of Council • 11 at-large members • 7 representatives from specific groups <p>Terms of Reference: Policy and Finance Report 3, Clause 3, Council April 25 -27, 2006</p>
City of Toronto French Committee / Comit. Francais de la Ville de Toronto	<ul style="list-style-type: none"> • 2 Councillors • 13 citizen members of the Francophone community of Toronto
Community Preservation Panels	<p>4 Panels (for each area represented by a Community Council). Each panel consists of:</p> <ul style="list-style-type: none"> • a maximum of 2 Councillors • 5 – 11 citizen members <p>Community Preservation Panels share a City-wide mandate and apply it locally.</p>
Mayor's Economic Competitiveness Advisory Committee	<ul style="list-style-type: none"> • Mayor • 4 Councillors • Up to 20 citizen members representing a range of orgs and sectors appointed by Mayor

Nathan Phillips Square Revitalization Public Advisory Group	<ul style="list-style-type: none"> • Up to 2 at-large community members (with a representative from the Hiroshima Day Coalition being invited to apply as a member at large) • 7 representatives from specific sectors and community interests <p>Terms of Reference: Administration Committee Report 1, Clause 2, City Council on January 31, February 1 and 2, 2006</p>
Task Force to Bring Back the Don	<ul style="list-style-type: none"> • 3 Councillors • 20 citizen members <p>Terms of Reference: Works Committee Report 6, Clause 19, Council July 22, 23,24, 2003</p>
3Rs Working Group, and Residual Waste Working Group	<p>3Rs Working Group:</p> <ul style="list-style-type: none"> • City staff (non-voting) • Up to 15 community representatives <p>Residual Waste Working Group:</p> <ul style="list-style-type: none"> • City staff (non-voting) • Project consultants as required (non-voting) • Up to 8 community representatives <p>Terms of Reference: PW10.11, Council November 19, 20, 2007</p>
Toronto Cycling Advisory Committee	<ul style="list-style-type: none"> • 1 Member of Council • 8 citizens-at-large <p>Revised Terms of Reference: PG5.12, City Council June 19, 20, 22, 2007</p>
Toronto Film Board	<ul style="list-style-type: none"> • Mayor or designate • 5 Councillors • 14 to 18 members appointed by Mayor, and drawn from a range of industry representatives and interested parties with collective expertise in specific areas
Toronto Pedestrian Committee	<ul style="list-style-type: none"> • At least 1 Member of Council • 4 citizens appointed from the four Community Council Districts • Up to 7 at-large members • 5 representatives from specific organizations and groups <p>Terms of Reference: Works Committee Report 3, Clause 21, Council May 18, 19, 20, 2006</p>
Toronto Preservation Board	<ul style="list-style-type: none"> • 3 Councillors • 7 members at large • 4 Toronto Preservation Panel Chairs (or designate of each Panel) <p>• Terms of Reference: Toronto Municipal Code, §103-3, Heritage</p>
Union Station Revitalization Public Advisory Group	<p>Maximum of 24 members:</p> <ul style="list-style-type: none"> • 3 Members of Council, including the local ward Councillor • up to 21 citizens, including Members-at-Large (minimum of 2; target of 3 to 6) and representatives from specific sectors <p>Terms of Reference: Administration Committee Report 8, Clause 2, City Council on October 26, 27, 28, 31, 2005</p>
Wet Weather Flow Management Master Plan Implementation Advisory Committee	<ul style="list-style-type: none"> • 2 Members of Council • 2 citizens • 11 representatives from specific organizations and bodies (including 5 from organizations representing the issues of the watersheds) <p>Terms of Reference: Works Committee Report 8, Clause 10, Council Sept 28, 29, 30, 2005</p>