

	THE CORPORATION OF THE COUNTY OF LAMBTON POLICY MANUAL			
	Subject:	Council-Staff Relations	Section C00	Policy #13
	Effective Date:	February 06, 2019	Approved By: County Council	
	Revision Date:	October 18, 2023		

PURPOSE

This document sets out The Corporation of the County of Lambton's policy pertaining to the relationship between members of council, officers and employees of The Corporation of the County of Lambton for the purposes of clause 2.1 of section 270(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25 (the "Act").

DEFINITIONS

In this Policy, the following terms have the following meaning:

- (a) "**CAO**" means the County's Chief Administrative Officer.
- (b) "**Code of Conduct**" means By-Law No. 20 of 2015, *A By-Law to Establish a Code of Conduct for Members of Council of The Corporation of the County of Lambton*, and any successor by-law of The Corporation of the County of Lambton setting out a code of conduct for Council Members.
- (c) "**Council Member**" means an elected member of County Council.
- (d) "**County Council**" means the body of elected Council Members who together form the elected council of the County.
- (e) "**Staff**" means the officers and employees of The Corporation of the County of Lambton including the CAO and individuals providing services to the County under contracts for services.
- (f) "**Warden**" means the head of County Council as elected by Council Members from time to time.

POLICY

Policy Statement

As a publicly funded corporation, The Corporation of the County of Lambton's ("County") object is to deliver its services and programs to the residents of the County in an effective and efficient manner that is in keeping with the County's strategic plan in effect from time to time and County Council's directions.

Council Members, the CAO and Staff are expected to work together collaboratively to execute the goals, objectives and purposes of the County and the priorities and directions of County Council.

County Council - Staff Relations

- (a) Although each share a common goal of serving the public's interests effectively and efficiently, Staff (including the CAO) and County Council perform different roles.

County Council

- (b) Without limiting the provisions of the Act and any other applicable legislation that bestows various decision-making authority and duties and responsibilities upon County Council (and the Warden), County Council is responsible for setting policies and priorities for the County and for ensuring that there are management systems in place and that they are working properly.
- (c) County Council sets the County's policies and priorities, assigns work to the CAO and requests information from Staff (such as written reports on matters of interest to County Council) and sets its political direction through recorded resolutions at committee and Council meetings.
- (d) County Council - and not individual Council Members - sets policy priorities and directives and instructs the CAO and Staff. Instructions and directions are communicated through Council generally by way of resolution adopted by County Council, and/or By-Law.
- (e) Although the CAO and Staff are instructed and directed by County Council, it is understood and accepted that a Council Member may communicate with, and request information from, the CAO and/or Staff from time to time. Provided that there are no reasonable grounds (such as, for instance, prohibitions imposed by law) barring such communications and/or disclosure of information, and the information requested is readily available, nothing in this Policy shall serve to discourage such communications and/or prevent the exchange of such information.

- (f) All Council Members are equal and shall be treated as such. Staff shall not give any one Council Member preference over any other.

CAO and Staff

- (g) The CAO and Staff are responsible for researching policy issues, giving County Council their best professional judgement (including viable policy options), making recommendations, and, once County Council has rendered its decision on a subject matter, implementing County Council's decision.
- (h) The CAO reports to County Council. Staff report to the CAO.
- (i) Council Members shall report any concerns regarding the CAO and/or Staff, including any performance concerns, as follows:
 - a. in the case of the CAO, to the Warden; and
 - b. in the case of Staff, to the CAO.

Any action and/or decision pertaining to the CAO's performance shall be addressed by County Council through the Warden, *in camera*. The CAO shall address performance issues (including labour relations issues) concerning Staff in accordance with the County's practices and policies in effect from time to time.

Communications

- (j) The County maintains a respectful workplace in accordance with all applicable laws, which includes an environment free of discrimination on prohibited grounds of discrimination, free of harassment and free of violence.
- (k) Council Members, the CAO and Staff are committed to maintaining a respectful, dignified work environment.
- (l) Disagreements are foreseeable. Nonetheless, despite any disagreement, the Council Members, the CAO and Staff shall treat each other with mutual respect and professionalism at all times and in a manner that is in keeping with all applicable standards of decorum, the Code of Conduct and all applicable laws. By way of example only, Council Members, the CAO and Staff shall not, towards each other:
 - a. engage in any belittling or denigrating behaviour; and/or
 - b. maliciously or falsely question or injure professional reputations or ethics.

Complaints

- (m) Any alleged contravention of this Policy may be reported to the Clerk. Upon receipt of a complaint, the complaint shall be communicated to the following:
- a. in the case of the CAO, to the Warden
 - b. in the case of Staff (other than the CAO), to the CAO
 - c. in the case of a Council Member (other than the Warden), to the Warden
 - d. in the case of the Warden, to the Deputy Warden.

Interpretation

- (n) This Policy shall be interpreted and enforced in a manner consistent with the objective of the Policy set out in the subject-heading Policy Statement above and, specifically, in a manner that advocates for a respectful, constructive Council - Staff relationship.

Scope of Policy

- (o) This document sets out County Council's policy on the subject-matter hereof. This Policy is not intended and does not serve to amend any other policy, the Code of Conduct or By-Law of the County. In the event of any inconsistency between this Policy and any policy, Code of Conduct or by-law, the policy, Code of Conduct or by-law that directly addresses the subject matter under consideration shall govern. This Policy shall serve to supplement such policy, Code of Conduct or By-Law.

EFFECTIVE DATE

This Policy shall come into force on February 06, 2019.

POLICY REVIEW

County Council shall review this Policy once per Term.

ASSOCIATED DOCUMENTS

- *By-Law No. 20 of 2015, A By-Law to Establish a Code of Conduct for Members of Council of The Corporation of the County of Lambton*
- *By-Law No. 21 of 2015, A By-Law To Establish The Office Of Integrity Commissioner and a Process for Hearing Complaints Regarding Elected Officials of the County of Lambton.*

POLICY HISTORY

REVISION	DATE	PREPARED BY
Created	February 06, 2019	Legal Services/Clerk's Department
Policy reviewed and typographical errors fixed.	October 18, 2023	Legal Services/Clerk's Department