

**CORPORATION OF THE TOWNSHIP OF GILLIES  
BY-LAW NO. 608**

**Being a by-law to prescribe the manner in which the municipality will try to ensure that it is accountable to the public for its actions, and the manner in which the municipality will try to ensure that its actions are transparent to the public.**

**WHEREAS** paragraph 5 of subsection 270 (1) of the *Municipal Act, 2001*, S.O. 2001 c. 25, as amended, requires that a municipality shall adopt and maintain a policy with respect to the manner in which the municipality will try to ensure that it is accountable to the public for its actions, and the manner in which the municipality will try to ensure that its actions are transparent to the public.

**NOW THEREFORE** the Council for the Corporation of the Township of Gillies enacts as follows:

**1. Short Title**

This By-law may be cited as the “The Accountability and Transparency Policy”.

**2. Definitions**

In this By-law:

- 2.1 “**Council**” shall mean the Council of the Corporation of the Township of Gillies
- 2.2 “**Employee**” shall mean a person under the employment of or in contract with the municipality;
- 2.3 “**Municipality**” shall mean the Corporation of the Township of Gillies;
- 2.4 “**Municipal Auditor**” shall mean the independent accounting firm licensed under the *Public Accounting Act* that is appointed by the municipality;
- 2.5 “**Taxpayers**” shall mean the plural of a person who resides in the municipality, or is the owner or tenant of land there, or the spouse of such owner or tenant;
- 2.6 “**Treasurer**” shall mean the person within the Municipality’s administration who fulfils the function of the Municipal Clerk as required by the *Municipal Act*, or his or her delegate.

**3.0 Application**

**3.1 Governing Principle**

The municipal culture must support accountability & transparency. This requires leadership starting with Council and permeates throughout the municipality. The municipality will conduct its business openly, honestly, ethically and with integrity. The municipality will foster a safe environment that allows all stakeholders of this policy to participate freely without fear of reprisal or retribution.

### 3.2 Principles of Accountability

- a) Clearly defined roles, responsibilities and relationships for all those who are a party to this policy;
- b) Actions consistent with clearly understood expectations;
- c) Reasonable balance between expectations and capacities.

### 3.3 Principles of Transparency

- a)  All municipal information is to be fully accessible within legal and/or ethical limitations. When information is withheld due to overriding reasons, an explanation will be given as to why;
- b) All municipal information to be provided in clear, simple language;
- c) Information deemed to be in the public interest is to be provided and updated regularly and consistently.
- d) Clear and timely reporting on actions;
- e) Reasonable review and adjustment.

## 4.0 Stakeholders

### 4.1 Council

Council members shall be professional and accountable to the public by communicating their decisions and plans, and be held to a high standard of integrity. With respect to accountability and transparency, Council shall adhere to the following provincial legislation and policies of the municipality:

- Procedural By-law;
- Sale and Disposition of Land Policy;
- Employee Hiring Policy;
- Procurement Policy;
- Notice Policy;
- Delegation of Powers and Duties Policy;
- *Municipal Act*, 2001, its regulations and amendments;
- *Municipal Conflict of Interest Act*, 1990, its regulations and amendments;
- *Human Rights Code*.

All members of Council shall at the beginning of their term, as a part of councillor orientation, be informed of the role of the head of council and council, as well as the integrity that council members are expected to exhibit. Council members are expected to informally review their behavior as a member of council on a regular basis.

In making decisions, a council member shall always place the interests of the taxpayers first and, in particular, place them before the interests of colleagues on Council, staff, friends, or family.

## 4.2 Employees

Employees shall be professional and accountable to Council by providing Council with reports that are concise and accurate containing the best possible information and advice that allows the members to make informed decisions. Council shall also be apprised, as required, of difficulties that may occur with any administrative process or practices that detract from the principles of accountability and transparency.

Employees shall be professional and accountable to the public through timely acknowledgment of and response to inquiries. Municipal employees shall hold themselves to a high standard of integrity and represent themselves as such. With respect to accountability and transparency, employees shall adhere to the following provincial legislation and policies of the municipality:

- Employee Hiring Policy;
- Employee Performance Reviews by Council;
- Notice Policy;
- Procurement Policy;
- Administrative Practices Policy;
- Electronic Fund Transfers;
- Credit Card Use Policy;
- Tax Collection Policy;
- Municipal Act, 2001, its regulations and amendments;
- Municipal Conflict of Interest Act, 1990, its regulations and amendments; and
- *Human Rights Code*.

## 4.3 Taxpayers

Taxpayers have the right to an open, transparent and accountable government. This shall be achieved through the implementation of the policy herein referred to in this By-law.

## 4.4 Province of Ontario

The Township of Gillies shall comply with all matters dealing with transparency and accountability that the Province may regulate from time to time and report to the Province on such matters as required or requested.

The Provincial Ombudsman appointed under the *Ombudsman Act*, shall be responsible to carry out all investigations for all complaints filed with respect to Council compliance with sections 238 (2) and 239 of the *Municipal Act*.

## 6.0 **Finance**

On an annual basis the Municipal Auditor shall be responsible to report to Council on any financial matters concerning the transparency and accountability of the Township's financial systems and related internal controls. Council shall review the comments of the Municipal Auditor on an annual basis, and act upon or address the recommendations in a timely manner.

Council shall approve all expenditures and payroll prior to disbursement.

The Treasurer shall provide Council with quarterly updates on budget expenditures, and that this report shall be made available to the public.

In accordance with the *Municipal Act*, the Municipality shall make the Consolidated Financial Statements and the Performance Measure Report available to the public on an annual basis.

**7.0 Reporting and Communication**

Council shall report to its taxpayers on a quarterly basis through the publication of the Gillies Community News or from time to time as deemed necessary, through flyers mailed via the postal system or posting of public notice on the Official Municipal Website and local posting sites . Such public communication shall provide information on the efficiency and effectiveness of the delivery of services and identify any barriers to achieving improvements in the efficiency and effectiveness of the delivery of services.

Taxpayers shall be encouraged to attend and participate in council meetings and their opinion and/or input on matters that directly affected a majority of taxpayers shall be requested from time to time, as deemed necessary.

**8.0 Review**

Council shall review all policies relating to accountability and transparency on an annual basis and amend such policies as necessary to reflect the vision and mission of the Municipal Corporation.

**9.0** This By-law shall come into force and effect on the date of passing thereof.

READ A FIRST AND SECOND TIME ON THIS 22<sup>nd</sup> DAY OF OCTOBER 2007.

READ A THIRD TIME AND FINALLY PASSED ON THIS 13<sup>th</sup> DAY OF NOVEMBER 2007.

**CORPORATION OF THE TOWNSHIP OF GILLIES**

**REEVE** \_\_\_\_\_

**CLERK** \_\_\_\_\_