

REPORT TITLE: Community Member Appointments to Committees and Boards - Policy and Procedures

FROM: Gary Kent, CPA, CGA, ICD.D, Chief Financial Officer and Commissioner of Corporate Services

RECOMMENDATION

That the Corporate Policy, attached as Appendix I to the report of the Chief Financial Officer and Commissioner of Corporate Services, listed on the February 17, 2022 Regional Council Policies and Procedures agenda titled “Community Member Appointments to Committees and Boards – Policy and Procedures”, be approved;

And further, that the Procedures to appoint community members to Regional committees, attached as Appendix II to the subject report, be approved;

And further, that the Procedures to appoint a community member to the Peel Police Services Board, attached as Appendix III to the subject report, be approved;

And further, that the Procedures to nominate community members to the Greater Toronto Airports Authority Board of Directors, attached as Appendix IV to the subject report, be approved;

And further, that the Regional Council Policies and Procedures Committee Terms of Reference be amended to provide that the Committee is responsible for the process to review applications and recommend community member appointments to Council committees and boards, as outlined in the subject Corporate Policy and Procedures;

And further, that the Regional Council Policies and Procedures Committee be authorized to establish an interview panel, as required, for review of community member applications to Region of Peel committees and boards;

And further, that the Terms of Reference for the Audit and Risk Committee, Diversity, Equity and Anti-Racism Committee and Region of Peel Accessibility Advisory Committee be revised to comply with the subject Corporate Policy and Procedures.

REPORT HIGHLIGHTS

- On December 13, 2018, by Resolution 2018-825, Council established the Regional Council Policies and Procedures Committee and its Terms of Reference authorized that the Committee is responsible for making recommendations to Regional Council regarding Council committee structure.
- On December 19, 2019, Regional Council approved a process to appoint community members to committees and the process was incorporated into the Terms of Reference of three Council committees (Audit and Risk; Diversity, Equity and Anti-Racism; and the Region of Peel Accessibility Advisory Committee).

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- The process to review and recommend a community member appointment to the Peel Police Services Board (PPSB) and nominations to the Greater Toronto Airports Authority (GTAA) Board was delegated to the Regional Council Policies and Procedures Committee in its approved Terms of Reference.
 - Staff reviewed the Region's current community member committee appointment procedures and the PPSB and GTAA Board appointment/nomination policies and researched policies and procedures from the local municipalities to develop an overarching corporate policy that provides guidelines for Regional community member committee and board appointments (Appendix I).
 - The supporting draft procedures for community member appointments to Council committees, appointment to the PPSB, and nominations to the GTAA Board of Directors are included as Appendices II, III and IV.
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DISCUSSION

1. Background

Regional Council establishes committees at their discretion, or as a requirement of provincial legislation, and approves committee member composition and appointments by Council resolution. Committees may include the appointment of community members. Council may also appoint or nominate community members to certain Regional boards.

On December 13, 2018, by Resolution 2018-825, Council established the Regional Council Policies and Procedures Committee (PPC) and its Terms of Reference authorized that the Committee is responsible for making recommendations to Regional Council regarding Council committee structure.

At the September 26, 2019, Regional Council meeting, direction was given to the PPC to review the Region's process to select and appoint community members to Council committees and recommend changes to ensure that Councillors participate earlier in the process and are included in candidate interviews.

On December 19, 2019, by Resolution 2019-1156, Regional Council approved a recommended procedure to appoint community members to committees and the process was incorporated into the Terms of Reference of relevant committees including the Audit and Risk Committee (ARC - two community members); the Diversity, Equity and Anti-Racism Committee (DEAR - three community members); and, the legislated Region of Peel Accessibility Advisory Committee (AAC - eight community members).

A community member appointment is also required for the Peel Police Services Board (PPSB) and community member nominations are required for the Greater Toronto Airports Authority (GTAA) Board. A PPSB Appointments Policy was approved by Council in 1997 by Resolution 97-1220 and a GTAA Board Nominations Policy was approved by Council in 1998 by Resolution 98-488.

The PPC Terms of Reference authorized that the Committee assume responsibility for recommending Council appointments to the PPSB and nominations to the GTAA Board, and other bodies as required. The previously established GTAA Liaison Committee and PPSB Nomination Ad Hoc Committee were removed from the Regional Council committee structure.

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2. Findings

Staff reviewed the Region's existing community member committee appointment procedures and PPSB and GTAA Board appointment/nomination policies, and researched policies and procedures from the local municipalities.

The procedures approved by Regional Council in December 2019, authorized that program staff would review candidate applications and complete a scoring matrix using Council approved eligibility criteria; and, that an interview panel would be comprised of the Regional Clerk or designate, the relevant Program Director and the Chair of the Council committee. Additional staff or Councillors could be included if provided for in the Committee Terms of Reference or at the request of Council. This process works well during the mid-term of Council however, at the beginning of a new term of Council committee chairs may not be elected before the community member application process is initiated and would not be available to participate in the interview process (i.e., committees with more than 50 per cent community members such as the AAC). Therefore, it is proposed that the current procedures be revised to ensure Council members are involved in the initial review and interview process at the beginning of a new term of Council.

Local municipalities have several advisory committees and task forces that include a majority of community members. Both the Cities of Brampton and Mississauga establish nominating or appointment committees at the beginning of the term of Council to oversee the process to review, interview, and make community member committee appointment recommendations to City Council. The Town of Caledon does not establish a nominating or appointment committee. With authorization from Council, Caledon staff manage the candidate recruitment/review process and provide in camera recommendation reports regarding committee appointments to the Caledon General Committee. Candidates (as outlined in the reports) are discussed by the General Committee in closed session and recommendations are made to Council through the General Committee meeting minutes.

Prior to the current term of Regional Council, there were limited Council committees requiring community member appointments. The AAC had been the only committee requiring community member appointments, ARC added community members in 2019 and DEAR was newly established in 2019.

3. Proposed Direction

It is recommended that the PPC be authorized to review community member applications, acting as the nominating/appointment committee.

The PPC would be responsible for reviewing applications (as compiled and summarized in a report from a Program Director, in consultation with the Office of the Regional Clerk, with related application materials) establishing an interview panel (under the guidelines provided in the policy and procedures) and selecting candidates to be interviewed. The interview panel would then interview the selected candidates and recommend community members for appointment by Regional Council.

A draft policy and related procedures (incorporating elements from previously approved Regional procedures and local municipal policies and procedures) have been developed to provide a standardized process for community member appointments to all committees and

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boards that is consistent, fair, equitable and transparent, while ensuring the most suitable candidates are selected and appointed as members.

The draft policy, attached as Appendix I, provides overarching guidelines, and schedules A, B and C provide detailed procedures.

- Schedule A (Appendix II) outlines the Community Member Committee Appointment procedures.
- Schedule B (Appendix III) outlines the Peel Police Services Board Community Member Appointment procedures. The *Police Services Act* informs these procedures with respect to eligibility requirements.
- Schedule C (Appendix IV) outlines the GTAA Board Community Member Nomination procedure. The GTAA General Operating By-law informs these procedures with respect to eligibility requirements including a statement that a Board member “shall be a person who is either a Canada citizen or a permanent resident within the meaning of the *Immigration and Refugee Protection Act*”.

Key Points of the Policy:

- The Policy applies to committees or boards requiring community member appointments but does not apply to the appointment of Regional Councillors to committees, local boards, and special purpose bodies.
- Community member committee appointments will take place after Regional Councillors have been appointed to committees.
- The first meeting (at the beginning of a new Term of Council) for a committee with a member composition including more than 50 per cent community members (i.e., community members are required to achieve quorum) will be scheduled after community member appointments have been approved by Regional Council.
- The Regional Clerk or designate, is responsible for notifying Regional Council of the posting (providing the date of notice and advertisement publications); accepting applications; and coordinating interviews.
- The Program Director or designate, is responsible for management of the community member appointment procedures as outlined in Schedules ‘A’, ‘B’ and ‘C’ to the Policy including, for example: screening and compiling applications for a report to the Regional Council Policies and Procedures Committee.
- The Regional Council Policies and Procedures Committee is responsible for reviewing the Program Director’s candidate application report (with related application materials), establishing an interview panel, and selecting top candidates to be interviewed.
- The Interview Panel, (as established by the PPC under the guidelines provided in Schedule ‘A’ of the Policy) is responsible for interviewing candidates as chosen by the PPC and recommending candidates to Regional Council for approval.
- Regional Council will appoint community members to committees by Council resolution.
- While there are no specific limits on the number of terms a community member may serve on a committee, Regional Council may give preference to qualified applicants who have not had a previous opportunity to serve over those who are seeking re-appointment after serving two consecutive terms.
- A mid-term appointment process is included should a position become vacant.

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RISK CONSIDERATIONS

The Region of Peel uses a common set of risks that are categorized by governance activity under the headings: strategic, operational, financial, compliance and reputational. Appointments of community members to committees or boards could expose the Region of Peel to reputational risk if standardized procedures do not appear to be consistent.

The approval of standardized practises through a community member appointment policy could reduce the potential reputational risk associated with negative publicity, perceived or real, regarding actions or inactions which could cause a decline in the public's trust and confidence.

APPENDICES

Appendix I - Draft Corporate Policy - Community Member Committee Appointments

Appendix II - Draft Procedures - Community Member Committee Appointments

Appendix III - Draft Procedures - Peel Regional Police Board Community Member Appointment

Appendix IV - Draft Procedures - Greater Toronto Airports Authority Community Member
Nomination

Authored By: Jill Jones, Legislative Specialist