



SUBJECT: Update on accountability and transparency initiatives

TO: Corporate Services, Strategy, Risk & Accountability Cttee.

FROM: Clerks Department

Report Number: CL-01-21

Wards Affected: All

File Numbers: 155-03-4

Date to Committee: January 11, 2021

Date to Council: January 19, 2021

Recommendation:

Receive and file clerks department report CL-01-21 providing an update on accountability and transparency initiatives.

PURPOSE:

Vision to Focus Alignment:

- Building more citizen engagement, community health and culture
 - Deliver customer centric services with a focus on efficiency and technology transformation
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Background and Discussion:

Accountability and transparency are key drivers in the Clerks Department. In working towards greater transparency there are small initiatives that have been completed during 2020 with respect to Council meetings. As these items touch upon how Council business is conducted, an information report has been provided to apprise Council and the public. The enhancements to accountability and transparency focus on the following areas:

- Staff Directions – new public reporting process, with dates assigned to all deliverables.
- Declarations of Interest – creation of an online register.

- Increasing Clerks Department open data sets.

Staff Directions

Staff directions are requests from Council for additional research or work to be completed by staff and may come in the form of a Municipal Officers Report, memorandum or an amendment to a staff report recommendation. All staff directions recorded by the Clerks Department will be included in the Council minute record. Only approved Council directions (by way of resolution) will be recorded and reported upon through the staff direction program.

The program changes are set to go live in January 2021, and the major program changes are as follows:

1. The program will be administered through the City's meeting management software, eSCRIBE.
2. Completion dates (by quarter) will be assigned by Director for each staff direction.
3. Quarterly, a full listing of outstanding staff directions will be circulated by way of the Council Information Package and made available to the public.

Historically, staff directions were entered into Business Objects, or Crystal Reports as it is commonly known. The list was managed by the Clerks Department and would be periodically circulated to Council. In 2021 Business Objects will no longer be supported by the City of Burlington, and therefore a new way of capturing and managing staff directions was required. Staff settled on using the city's existing meeting management tool, eSCRIBE to record and track the progress of staff directions. eSCRIBE brings some functionality, with a status field, that can be used by report authors to provide their Director with updates and a task close out process that will be managed by the department. Closing out an item will result in either a staff report, or a memorandum circulated by way of the Council Information Package.

Staff have also recognized that there is some public interest in the staff directions made by Council. In the vein of accountability and transparency, making the list public and assigning an anticipated delivery date was included to enhance the existing program. An internal standard operating procedure was created which provides staff with step by step instructions on how delivery dates are entered and vetted, how delivery date changes may occur, and the process in building and circulating the quarterly report.

Through the new process, after each Council meeting new staff directions will be entered into the system, be vetted by the Burlington Leadership Team (BLT) and directors will assign an anticipated delivery by quarter. The entries for that Council meeting will be circulated to Mayor and Council by close of the week. Quarterly, the list will be reviewed by BLT and then distributed by way of covering memorandum to

Council, then listed on the Council Information Package for distribution, and by virtue made publicly available.

Staff will begin the post-Council process after the first Council meeting of 2021 and will aim to get the first quarterly report out to Council within the first quarter of 2021.

Declaration of Pecuniary Interest

Legislative Requirements

The *Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50* requires members of Council and local boards to declare any direct or indirect pecuniary interest in relation to a matter under consideration. A pecuniary interest relating to a matter is one where there is a reasonable likelihood or expectation of financial loss or gain by the member or related persons as defined in the Municipal Conflict of Interest Act. The onus to declare a pecuniary interest rests with the member, and there is time dedicated for these declarations on every meeting agenda. Members must complete a written statement of pecuniary interest and submit it to the Clerk. All declarations of pecuniary interest are recorded in the meeting minutes.

The City is also required by the Municipal Conflict of Interest Act to maintain a publicly available registry of all declarations of pecuniary interest made by members. The registry must include the original written declaration provided by the member of Council. At present, the City of Burlington maintains a register, however it is not posted publicly and is only available upon request.

Enhancements Planned

Staff have made enhancements to the declarations of pecuniary interest process to improve customer service, ensure greater accountability and transparency and comply with legislation.

Currently the statement form is a word document that must be printed and completed or completed electronically and emailed to the Clerk. Moving forward the statement form will be automated and made available through the City's website as an online form. Completed forms will be sent directly to the Clerk, reducing time delays and manual intervention. Conflicts will be filed in the City's agenda management system and will be publicly available following each meeting in a conflicts registry, available to the public by way of the City's website, will improve customer service and public access to the information.

The new process is expected to be implemented in January. Further communication of the process will be provided to members of Council and local boards. Previous declarations made from the beginning of the term will be reflected in the registry.

Clerks Department – New Open Data Sets

City of Burlington Open Data Program

The City has established an Open Data program. Its mandate is to expand online services and information sharing to the community and make city data available for public use and new application development. The City's Open Data program provides a number of benefits to the community, including:

- increasing transparency and accountability of municipal government,
- enhancing the delivery for municipal services through new and innovative uses of public data and applications developed using Open Data,
- driving the local economy by opening data for use by developers in our community,
- providing residents with an opportunity to access city data and engage with their local government.

Open Data is consistent with the right of access purpose of the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA) and the Federal Open Government Resolution.

The New Data Sets

To date, the Clerks Department has established only one open data set regarding the number of freedom of information requests processed annually. Staff recognized that the City's agenda management system records data from Committee and Council meetings that may be valuable to the public and serve as a great resource. Staff has approached the Open Data program to expand the Clerk's open data set portfolio.

Beginning in January the City's open data sets will be enhanced, increasing transparency, by reporting on recorded votes, meeting attendance and declarations of pecuniary interest for the public to use.

Strategy/process

These are relatively small program initiatives but cumulatively help to foster and grow a culture of Open Government in the City of Burlington. City Council has requested that the Clerks Department report back with a plan for open government to enhance transparency, accountability, and connection between community members and city hall. Starting with this report and throughout 2021 open government will be strengthened. It is anticipated that a strategy for open government and the Clerks Department will be presented by the end of 2021.

Financial Matters:

Not applicable.

Total Financial Impact

Not applicable.

Source of Funding

Not applicable.

Other Resource Impacts

Not applicable.

Climate Implications

There are no climate implications associated with this report.

Engagement Matters:

One on one meetings were had with members of Council in February and March 2020 which yielded feedback on potential ways the staff directions process could be enhanced. Internal consultation with staff occurred when drafting the standard operating procedure for staff directions.

Conclusion:

Accountability and transparency are key drivers in the Clerks Department. In working towards greater transparency some smaller initiatives were completed in 2020. As they are associated with Council and the meeting process, staff have provided a report to inform Council and the public of the program changes.

Respectfully submitted,

Kevin Arjoon

City Clerk

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Report Approval:

All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Executive Director of Legal Services & Corporation Counsel.