



Corporate Policy

Council, Boards, Committees

Public Appointments

Approved by Council on: MMMM d, yyyy

Report Number:

Effective: MMMM d, yyyy

Reviewed on: MMMM d, yyyy

Amended: MMMM d, yyyy

Next Review: MMMM d, yyyy

Note:

The purpose of this policy is to provide a process on how public appointments to advisory committees and local boards are conducted at the City of Burlington.

Policy Statement:

Advisory committees and local boards give a voice to residents on matters that affect their municipality. These committees contribute to the overall sense of community and belonging, and are integral to the City's governance system.

All residents of Burlington are encouraged to apply to serve on a committee or board. Committees and boards should be reflective of the diverse communities that comprise Burlington. Lived experience, and the skills and attributes brought by an applicant are all valued qualities.

To ensure that marginalized communities are represented on committees and boards, diversity and inclusion are key factors when establishing recruitment campaigns, the nomination process, and when making appointment decisions.

The policy is prescriptive to demonstrate that its processes are open and transparent. Further, this policy will be administered consistently to ensure all applicants have an equitable experience. A standard operating procedure will be developed that will work in concert with this Policy, and will be made available to the public.

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Scope:

The Public Appointment Policy applies to all public appointments to committees, boards made by Council. This policy also addresses how working groups are appointed by the City Manager.

Objectives:

General

All members are appointed at the pleasure of City Council. City Council retains the right to remove any appointed member at any time and for any reason unless legislation provides otherwise.

Committee and board appointments will not extend beyond the current term of Council. No Council shall appoint beyond their term of Council, encumbering a future Council.

Burlington residents and business owners can only be appointed to one committee at a time. Members of a local business improvement area (BIA) can serve on their respective BIA and a Burlington committee.

External boards and committees may have differing rules. Where there is a difference the external board rules or existing legislation will prevail.

This policy shall supersede appointment provisions in existing advisory committee terms of references.

Eligibility

To serve on a committee or board applicants must meet the following criteria:

- A resident of Burlington or a person who owns a business in Burlington
- 18 years of age or older (age of majority)

For external boards there may be additional citizenship requirements. Specific requirements will be indicated on the online recruitment posting.

Should an appointee of a committee move out of Burlington, or a business owner cease to own their Burlington business, they will cease to be eligible to serve the remainder of their term and must submit their resignation.

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Who is not eligible?

City staff from the Corporation of the City of Burlington are not permitted to apply or be appointed to a committee or board. Staff may be required by their employment to attend as liaison to a committee or board by virtue of their position.

Relatives of members of Council (spouse, children, and parents, or those living in the same household as the member of Council) are not eligible for appointment or any external agency appointments made by Burlington City Council.

Recruitment

The City Clerk or designate is accountable for recruiting to fill vacancies on committees and boards. In conducting the recruitment, the City Clerk will work with Corporate Communications to determine the best approach and tactics to be implemented for each recruitment campaign. The main recruitment goal is to deliver a slate of candidates to Council that is reflective of the diverse communities that represent the City of Burlington.

Recruitments will be a minimum of two weeks (calendar days) in duration. Recruitments may be required to be longer than two weeks, for example, when recruiting for a large amount of appointees, or in search of appointees with a specialized skillset or qualifications.

Other Tactics Implemented during a Recruitment Campaign

Depending on the recruitment, the Office of the City Clerk may explore other tactics or working with user groups to further communicate opportunities to serve. Any alternative tactics employed during the recruitment campaign will be reported in the open session appointment report to Council.

How to Apply

Applicants are encouraged to apply through the online application form. Should there be accessibility concerns, or extenuating circumstances, accommodations may be arranged by contacting the Office of the City Clerk.

Applicants are encouraged to submit supplemental information such as a resume or cover-letter.

Applicants may only apply to two committees or boards. In their application if they select two choices, they must rank their selections. Applicants will only be appointed to one committee or board.

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Voluntary Self-Identified Diversity Questionnaire

Applicants are strongly encouraged to complete the voluntary self-identified diversity questionnaire.

- Council will use this data when making appointment decisions to support diversity and inclusion on its committees and boards.
- Staff will use the data to ensure that its recruitment campaigns are reaching marginalized communities and groups.

Future iterations of the data may form part of public reporting on the public appointment process. The Office of the City Clerk will ensure that the data is reported at a high level, anonymized and that no individuals are identifiable, in accordance with the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*.

Applications are Protected

All applications and personal information received are protected under *MFIPPA*. If appointed, only the appointees first and last name, and their term will be made public through the appointment report and the City's website.

Retention of Applications

Applications from former recruitments will not be kept on file. Applicants that wish to re-apply for a position on a committee or board must re-apply.

Current Member Applications Mandatory

All members of advisory committees or local boards whose term are expiring will be notified by their representative from the Office of the City Clerk in writing and provided with the link to the webpage with committee and board opportunities and the link to the online application.

Current members who wish to continue serving on the same committee must re-apply. All current members who re-apply will be granted an interview and their attendance at the interview is mandatory.

Current board members should be evaluated in the same way, and by the same criteria as new applicants. In addition, the nominating panel may consider meeting attendance records.

Current Members who Serve their Maximum Term

Current members who have served their maximum amount of terms, who wish to be considered for re-appointment, may re-apply. Their application must include a letter to the nominating panel, and Council explaining the extenuating circumstances, and why they should be re-appointed for another term.

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Application Deadline

The application deadline is determined by the City Clerk. Submissions received after the deadline will not be considered. A notification will be sent to late applicants to ensure that they are aware.

Extensions to the Deadline

Where it is determined that there is an insufficient amount of applications to fill the vacancies, the deadline will be extended by the City Clerk. Public notice will be provided by way of the City website. Any additional notice shall be determined by the City Clerk in consultation with Corporate Communications.

Nominating Process

After the deadline, the Office of the City Clerk will organize the applications received and ensure that an applicant matrix for each committee or board is created. Matrixes will be distributed to all members of Council. Each matrix shall contain at minimum the following information.

- Applicant Name
- Ward
- Current Member: Yes/No
- Diversity Information (includes Gender/Age Range)
- First Choice
- Second Choice

Nominating Panels are comprised of the Chair, if the Chair is applying then the Vice Chair, the Council Liaison and the Staff Liaison. If the recruitment occurs at the beginning of a new Council term, then the panel will include a previous member not applying for re-appointment, or a combination of Chair and Vice Chair.

A representative of the Office of the City Clerk will form part of the nominating panel, as an advisor. This advisor is neutral, they will provide guidance on the nominating process, provide logistical support, prepare nomination reporting, and attend interviews in an observer capacity.

Short Listing Process

The short-listing process consists of the following steps:

- The nominating panel will review all applications that expressed an interest to serve on the committee or board. Their review will be based on the body's terms of reference, the advertised desired skillsets, and the selection framework provided in this policy.

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- The nominating panel will convene to review applications, and by consensus determine a shortlist of candidates.
- Once a shortlist is developed a representative from the Office of the City Clerk will schedule interviews.
- All current members, with term(s) left to serve shall be provided with an opportunity to interview.

Interview Process

In support of equity all interviews will be conducted in the same manner and each candidate will be asked the same questions.

All members of the nominating panel must be present at all interviews, to be eligible to contribute to the recommendation.

The nominating panel shall conduct all interviews in private and information received at these interviews shall be confidential.

All notes and scoring by the nominating panel shall be submitted to the Office of the City Clerk.

Selection Framework for Nomination Panels

Through this policy, Council provides the following guidance to its nomination panels when making appointment recommendations to committees and boards.

- Overall committee composition should:
 - be a balance between experienced and new members, and lived experience versus skills and abilities,
 - achieve geographic representation,
 - be representative of diversity and demographics of the community which may include, age ranges, gender, sexual orientation, Aboriginal status, race, and disability

The nominating panel shall provide a recommendation for each vacant position, and dependent on the quality of applicants, select alternate appointees, according to committee terms of reference, and in preferential order.

Appointments Terms

Council shall appoint members for two-year terms. Appointees shall be able to serve up to three terms for a total of six years served on a committee or board.

Appointments to the Committee of Adjustment are to be consecutive with the term of Council. Committee of Adjustment members may serve up to two consecutive terms, eight-years total.

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Appointments shall not be made beyond the term of Council.

For appointees filling mid-term vacancies, their initial term shall not be counted towards their maximum term served.

When applicants have reached the maximum terms served, they must take at least one year off from the specific committee. These applicants are invited to apply to another committee or board opportunity with the City of Burlington.

Current members who have served their maximum terms, who are seeking reappointment may be reappointed due to extenuating circumstances. In their reappointment Council may approve for a full term or a partial term.

External Boards may have term rules as per their governing legislation. The Office of the City Clerk will advise nominating panels, and Council if there is a discrepancy with the Public Appointment Policy. The decision to re-appoint a member is at the discretion of Council.

Alternates

A nominating panel may recommend a number of alternates (at the discretion of the nominating panel, in order of preference) who stand with first consideration status if a vacancy occurs during the term. The list of alternates will be maintained by the Office of the City Clerk. There are no alternates appointed for external boards.

If a vacancy occurs before the end of the term, the Office of the City Clerk will contact an alternate in order of nominating panel preference to verify that they are still eligible and interested to serve. If they are interested they will be invited to attend the meeting as a voting member. The Office of the City Clerk will advise Council and the committee of any alternates being called upon to serve, through a memorandum in the Council Information Package.

Approval Process

A report from the Office of the City Clerk communicating the recommendations from the Nominating Panel will be prepared for Council approval. The report will have a public and a confidential component, as determined by the City Clerk.

Appointments to Advisory Committees from External Institutions

Based on an advisory committee terms of reference, external institutions may nominate a member(s) to serve on their behalf. These appointments are subject to Council approval, and the following process must be undertaken.

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At the end of a term, or when there is a vacancy from an external institution appointee, the Committee Clerk will provide a communication to the external institution inviting them to nominate members for appointment and include the following:

- Demonstrate how the skills or interests of the nominees are relevant to the committee.
- Provide a short biography of all nominees put forward.

The external institution shall provide a confidential communication to the City Clerk providing nominations to the advisory committee for Council's consideration.

In the interest of promoting renewal, term limits will be applied to members appointed from external institution nominations. In consideration of the nominations, Council may direct staff to go back to the external institution to ask for clarification or additional nominees.

Public Appointees made Public

When Council approves appointments, they will appoint and release the confidential appendix, consisting of appointments and terms. The appendix will be made public, and the Office of the City Clerk will insert its contents into the minute record, at the meeting the approval was obtained.

Advising Applicants of Appointment

Throughout the nomination and selection process, applicants may contact the Office of the City Clerk for an update.

After Council has made its decision on appointments, all applicants will be notified of the outcome of their application.

Successful members will receive an email from a representative of the Office of the City Clerk and a formal letter signed by the Mayor of their appointment, along with orientation materials. Based on the appointment, members may be required to obtain a Vulnerable Sector Check.

Unsuccessful applicants will receive a letter from the City Clerk. If the applicant was shortlisted for an interview, they will be encouraged to participate on a corresponding subcommittee and provided with the appropriate contact information.

Subcommittees of Council

Subcommittee members may be appointed outside the Public Appointment policy, however, ratification of appointment is done by the committee or board with a correspondence to Council issued through the Council Information Package.

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Staff Working Groups

Staff who create working groups may use the recruitment tactics outlined by this policy. The recruitment and gathering of applications may be facilitated by the Office of the City Clerk. All appointments to working groups are made by the City Manager.

Definitions:

For the purpose of this policy, unless otherwise stated, the following definitions shall apply:

| Term | Definition |
|-------------------------------------|---|
| City Website | Means the official internet website of the City of Burlington whose uniform locator is known as www.burlington.ca . |
| Committee | Committees created by Council to provide advice on a prescribed mandate as detailed in a terms of reference document. |
| Council Informtaion Package | A package of information distributed weekly by the Office of the City Clerk and posted to the City's website consisting of but not limited to internal informational communications in memorandum format and correspondence from external bodies including other municipalities and levels of government. |
| Local Board | An external board or agency that requires public members appointed by Burlington City Council. |
| Standard Operating Procedure | Are entirely administrative documents, and address and provide very specific instructions on how to accomplish a particular task or complete a unique process. |

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| Term | Definition |
|----------------------------|--|
| Staff Working Group | Proposed by staff by way of a staff report and authorized by Council resolution. Must have a clear mandate that has a beginning and an end. Will inform a staff report on the matter that is brought back to Council. Appointments may be made outside the public appointment policy and with the slate of selected appointments reviewed by the City Manager. Staff working group meetings are not clerked by a representative of the City Clerk. |

References:

Code of Conduct for Local Boards and Committees
 Advisory Committee Handbook
 Council Procedure By-law

Roles:

Accountable:

City Clerk, or designate is responsible for the timely review updating and dissemination of the policy in the functional area.

Responsible:

Committee Clerk, or designate, carrying out the policy and to ensure that the principles of the policy as outlined in its statements are upheld.