

# Corporate Policy and Procedure

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Policy	<b>Advisory Committees of Council Public Appointment Policy</b>
Category	Corporate
Authority	City Clerk's Office
Related Policies	Advisory Committees of Council– Administration Policy Advisory Committees of Council – Meeting Procedures <a href="#">Procedural By-Law</a>
Approved By	City Council
Effective Date	July 19, 2021
Revision Date	

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## Purpose

The purpose of this policy is to provide a consistent and transparent framework for public appointments to advisory committees of Council (ACOCs).

## 1. Appointment Process

### 1.1. Recruitment Occurrences

There are three specific occasions when recruitment occurs.

- a) Immediately after a municipal election.
- b) Annually in the last quarter of each year.
- c) As vacancies occur throughout the year.

### 1.2. Notices of ACOC Vacancies

Notice of ACOC vacancies will include the following:

- a) Name of the ACOC and brief description of mandate.
- b) Approximate number of meetings per year.
- c) Usual meeting date and time.
- d) Eligibility criteria and key qualifications.
- e) Process for submitting applications and deadline for receipt of applications.
- f) Direction for more detailed information and staff liaison contact.
- g) Notice regarding the confidential voluntary disclosure of diversity information.
- h) Notice of Council meeting appointment date.

### 1.3. Vacancy Advertisements

The following measures may be used to provide public notice of ACOC vacancies:

- a) City news page of local newspaper - two notices, one week apart
- b) City website
- c) Announcements at Council and committee meetings
- d) People and Information Network volunteer website
- e) Mail outs or newsletters
- f) Email distribution lists to individuals or groups
- g) Social media channels

### 1.4. Application Submission

- a) Applicants must complete an [Advisory Committee and Local Board Application Form](#).
- b) Application forms are available at the ServiceGuelph counter and in electronic form on the City's web site.
- c) Applicants may apply for more than one ACOC on one application form.
- d) Subject to exceptions noted in this policy, applicants are eligible to serve on only one ACOC at a time.
- e) Completed applications may be submitted by completing an on-line application, regular mail, email to [clerks@guelph.ca](mailto:clerks@guelph.ca) or in-person at ServiceGuelph to the attention of the City Clerk.
- f) Applications received directly by staff liaisons will be provided to the City Clerk's Office.
- g) Applications received after the submission deadline and for non-advertised vacancies will not be considered.

### 1.5 Eligibility and Qualifications

#### 1. Eligibility

- a) Unless otherwise specified in a terms of reference (TOR), applicants must be residents or owners of property in the City and at least 16 years of age.
- b) Specific skills and experience for membership on each ACOC shall be established by way of the TOR.
- c) Appointees are required to maintain their eligibility and qualifications throughout the term of their appointment.
- d) City staff are not permitted to serve as members on an ACOC.
- e) Councilors are not permitted to serve on ACOCs in accordance with the [City's Procedural By-Law](#).
- f) Disclosure (or non-disclosure) of any conflicts of interest is the responsibility of the applicant. Disclosure of potential conflicts will not result in automatic ineligibility. The nature of the conflict will be considered in determining whether the applicant should be appointed.

#### 2. Guidelines for establishing qualifications

- a) Qualifications for ACOCs vary considerably and are to be established in the ACOC TOR.

- b) The following guidelines may be considered in establishing any such qualifications:
  - i. Ability to perform the duties of the ACOC, including any complementary skills and/or competencies.
  - ii. Areas of specialization where required, experience or community service.
  - iii. Geographic location within the City.
  - iv. Individuals with lived experience.

## **2. General**

### **2.1 Application Review and Recommendations**

- a) Staff liaisons will be provided with all applications submitted to the City Clerk's Office.
- b) Staff Liaisons will manage the review of all applications.
- c) Staff Liaisons will provide the names and, if applicable, specific roles of the recommended applicants for ACOC appointments to the City Clerk's Office.
- d) Consistent with ACOC TOR and applicant skills, staff liaisons will give priority to qualified applicants from equity seeking groups.

### **2.2 ACOC Member Resignations (within twelve months of initial appointment)**

- a) In the event an ACOC member resigns within twelve months of appointment, staff liaisons may reconsider applications submitted during the initial recruitment period and may recommend appointments from the retained pool of applicants.

### **2.3 Appointees**

- a) Acknowledging the value of experience and the need for continuity, appointees who are eligible and wish to seek reappointment to serve a subsequent term are to contact the staff liaison and/or City Clerk's Office with their intention for reappointment.
- b) Appointees seeking reappointment after the initial one-year appointment will not be required to submit a new ACOC application.
- c) Appointees seeking reappointment beyond four years on an ACOC will be required to submit an updated application.
- d) Appointee reappointment applications shall be given consideration prior to applications from the public at large.
- e) Reappointment of appointees is not guaranteed.

### **2.4 Stakeholders as Nominating Panels**

- a) Where ACOC TOR indicate that interests of stakeholders are to be represented on an ACOC, or to obtain special expertise from a professional or technical organization, one or more positions may be nominated by specific interest groups.
- b) The designated special interest/stakeholder group, or professional/technical organization will nominate individuals and shall communicate those nominated in writing to the City Clerk's Office which shall be provided to Council for approval.

## 2.5 Staff Report - Council Appointments

- a) City Clerk's Office staff will prepare a closed staff report including staff recommended names for ACOC appointments.
- b) Council will convene in a closed meeting to consider the recommended ACOC appointments with approval of the final recommendations taking place as part of an open meeting.

## 2.6 Term of Appointment

- a) Subject to ACOC TOR, ACOC members may serve on only one ACOC at a time.
- b) Unless otherwise legislated, the term of appointment is as follows:
  - i. One-year for initial appointment; and
  - ii. Second and subsequent appointments, a term length not to exceed the term of Council.
- c) The maximum duration that an ACOC member can be appointed is two full successive terms of Council.
- d) ACOC members appointed for the first-time mid-term may be appointed for the remainder of that term plus two full successive terms.
- e) ACOC members who have served the maximum number of successive terms on an ACOC may be reappointed to that ACOC after a one-year absence.

## 2.7 Exceptions

1. Exceptions to maximum terms and dual ACOC appointments are as follows:
  - a) When an insufficient number of applications have been received for a vacant position on an ACOC.
  - b) If a particular area of expertise is required and there are no other eligible/qualified candidates.
  - c) If the ACOC would suffer from a lack of continuity if all or the majority of ACOC members are replaced at once.
  - d) To permit an ACOC member to serve out their term on a local board.
  - e) If indicated in the ACOC TOR.
2. Staff liaison recommendations to reappoint an ACOC member who has reached the maximum consecutive years of service shall identify the special circumstances and recommend a waiver of the limit on length of service as part of the closed staff report.

## 2.8 Communication of Appointments

- a) When Council approves appointments, the City Clerk's Office shall advise all applicants in writing of the status of their applications, thanking every applicant for their interest.
- b) The applications of those not appointed will be kept on file in accordance with the City's [Records Retention By-law](#).

## 2.9 Remuneration

- a) ACOC members serve on a voluntary basis and do not receive any form of remuneration unless otherwise identified in the ACOC TOR.

### **3. Removal of member from ACOC**

#### **3.1 General**

- a) Council retains the right to replace an appointed ACOC member at any time and for any reason.
- b) Violations of the following may result in removal of an ACOC member:
  - iii. Release of confidential information
  - iv. Legal claims against the City of Guelph
  - v. Breaches of the [Code of Conduct for Council and Local Boards](#)

#### **3.2 Unexplained Absences**

- a) Unless otherwise specified in the ACOC TOR, ACOC members who are absent from three consecutive meetings without a resolution of the ACOC permitting their absence or having previously notified the staff liaison of a temporary leave of absence will be deemed to have forfeited their ACOC position.

#### **3.3 Procedure – Unexplained absences**

1. The following procedures shall be followed for removal of ACOC members for unexplained absences.
  - a) After an ACOC member's second absence from a meeting, staff liaisons shall contact the ACOC member, in writing, to advise that a third absence may result in a forfeiture of their position on the ACOC.
  - b) After an ACOC member's third absence from a meeting, staff liaisons shall contact the ACOC member, in writing, to advise of the forfeiture of the position.
  - c) One opportunity shall be offered to the ACOC member to provide written reasons for their absences and a request to continue as an ACOC member.
  - d) Staff liaison's shall provide the reasons and request provided by the ACOC member to the ACOC for discussion as a closed item on the ACOC Agenda pursuant to [section 239\(2\)\(b\) of the Municipal Act](#).
  - e) The ACOC will rise and report out into open session and pass a resolution to permit or deny the ACOC member's request to remain on the ACOC.
  - f) Failure by the ACOC member to provide reasons by the deadline provided by the staff liaison, will result in an automatic forfeiture of the position.
  - g) If no reasons are received or all reasonable efforts to contact the ACOC member regarding their absences have failed, the staff liaisons shall advise ACOC members and City Clerk's Office of the forfeiture of the position.
  - h) The City Clerk's Office will advise Council of the forfeiture by way of listing on the weekly information items.

#### **3.4 Temporary Leaves of Absence**

1. ACOC members may request a temporary leave of absence for absences that will exceed three consecutive meetings for up to 18 months.
2. Such leaves will be granted for the following reasons:
  - a) Birth and care of baby.
  - b) Care for a sick family member.
  - c) Illness.

3. Other requests for leave will be evaluated on a case by case basis.

### **3.5 Procedure – Temporary Leaves of Absence**

1. The following procedures shall be followed for requests for temporary leaves of absence from an ACOC.
  - a) ACOC members must make requests for temporary leaves of absence to staff liaisons, in writing, setting out reasons for their request.
  - b) Staff liaisons will review each request and provide a decision to the ACOC member directly.
  - c) The ACOC will be advised of the temporary leave and length of leave by way of communication from the staff liaison.
  - d) Staff liaisons will give consideration and advise the City Clerk's Office as to whether a temporary appointment will be required during the leave of absence.

### **3.6 Resignations**

#### **3.7 Procedure – Resignations**

1. The following procedures shall be followed for resignations from ACOCs:
  - a) ACOC member resignations shall be submitted in writing to the staff liaison and the City Clerk's Office.
  - b) Resignations shall indicate the date upon which the resignation will commence.
  - c) Council shall be advised of resignations on the weekly information items.
  - d) ACOC members will be advised of the resignation by way of communication from the staff liaison.