PUBLIC APPOINTMENT POLICY

PURPOSE
To provide Advisory Committees (AC’s) and Agency, Boards, Commissions/Committees (ABC’s) guidelines for establishing committees and appointing public members in an equitable, accountable and transparent manner.

A. ADVISORY COMMITTEES: GENERAL

An Advisory Committee (AC) is struck by Council to provide advice pursuant to a defined mandate. They report through the Committee of the Whole to Council and generally have a direct relationship with one City service area.

A-1. Establishing a New Advisory Committee
The originating department shall prepare a staff report to the Committee of the Whole (COW) for consideration. Final approval requires Council support. The report shall include a proposed Terms of Reference (Appendix A) to include:

- A link to the City’s Corporate Administration Plan
- Financial considerations
- Availability of staff resources
- Impact on other departments and/or participant areas

In addition to the above, the following shall be considered prior to proposing a new AC:

- Is the AC required by legislation/regulation?
- Is the AC’s mandate relevant, achievable and/or unique?
- Is there an existing AC, other body or alternative practice that could deal with the associated objectives and/or proposed mandate?
- Is the issue of sufficient public interest and will there be support to merit the AC?
A-2. Changing the Terms of Reference
Amendments to the Terms of Reference of an AC requires the approval of Committee of the Whole and Council and shall be initiated by a staff report to address the following:
   a) The rationale for the amendment including any supporting information
   b) Any additional resources required due to the amendment
   c) A cost benefit analysis (if deemed necessary)

A-3. Dissolving an Advisory Committee
Dissolution of an AC shall be initiated by a staff report to the Committee of the Whole and Council, which should address whether:
   a) The AC’s term has expired (if applicable)
   b) The principle objectives or mandate of the AC have been met
   c) An alternative arrangement has been found to continue the work of the AC (ex. consolidation/merger with another AC)
   d) The issues involved with respect to the mandate or the legislative requirement to maintain the AC no longer exist

All Advisory committees struck by Council must be dissolved by Council resolution. Following dissolution, the AC will be designated as “inactive” and all participants will be formally thanked for their service.

The City Service Area providing support to an AC is also responsible to ensure that there is merit in continuation of the work of the AC pursuant to the Council approved mandate and Terms of Reference.

B. ADVISORY COMMITTEES: APPOINTMENT PROCESS

B-1. Appointing Members to Advisory Committees
Recommendations with respect to AC appointments are to be managed by the Staff Liaison. Council shall appoint each member to an AC by resolution stating the name of the appointee, the name of the AC and the term of the appointment. To encourage the broadest degree of resident involvement, Council shall consider not appointing any individual to serve concurrently on more than one AC or ABC.

B-2. Eligibility and Qualifications
Applicants must be residents or owners of property in the City and at least 16 years of age or older (unless otherwise specified in the AC’s Terms of Reference). To remain an active member, appointees are required to maintain their eligibility and qualifications throughout their term. City staff are not permitted to serve as members on an AC.

In addition to general eligibility requirements, the specific skills and experience for membership on each AC shall be established by way of the Terms of Reference. The following guidelines may be considered in establishing any such qualifications:
   a) Ability to perform the duties of the AC, including any complementary skills, and/or competencies
   b) Areas of specialization where required, experience, or community service

Applicants should consider whether they have a real or perceived conflict of interest in relation to the mandate of the AC prior to application, including any direct or indirect
pecuniary interest with the City. Disclosure of such potential conflicts does not mean that an applicant is automatically ineligible for an appointment, but the Nominating Panel may assess potential conflicts in its determination of whether the applicant should be considered further. Disclosure (or non-disclosure) of any such conflicts is the full responsibility of the applicant.

**B-3. Term of Appointment**

Unless otherwise legislated, the term of appointment is generally one year for the initial appointment and a time defined thereafter in order to coincide with the existing term of Council. Acknowledging the value of experience and the need for continuity in certain environments, incumbents who are eligible and willing to seek reappointment may signify their intent to serve a subsequent term. Unless otherwise provided for by legislation or by a specific council resolution, the limit on length of service for any resident is eight consecutive years. Exceptions to this are as follows:

a) When an insufficient number of applications have been received for an AC  
   b) If a particular area of expertise is required and there are no other eligible/qualified candidates  
   c) If the AC would suffer from a lack of continuity if all or the majority of members are replaced at once  
   d) If to allow an appointee to serve out their term on the board of a municipal association  
   e) If directly related to the Terms of Reference or mandate of the AC

Any recommendation to reappoint an incumbent 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.

**B-4. Committee of the Whole as Nominating Panel**

The Committee of the Whole will serve as the Nominating Panel to Council with respect to all ACs under their jurisdiction. The Staff Liaison is responsible to manage the appointment process and will provide the COW with a briefing note and/or presentation (if necessary) related to the recommended appointments. This information will be delivered as part of a regular COW closed meeting agenda coordinated by the City Clerk’s Office pursuant to the regular agenda production processes. Recommendations from the COW with respect to proposed appointments will then be coordinated by the Clerk’s Office as part of Council’s regular agenda process. In most cases, Council will convene into a closed meeting in order to consider the proposed appointments then approve the final recommendations as part of the open meeting agenda.

The COW may select the successful candidates from amongst the applications, meet to identify a short-list and determine if interviews are required or, under special circumstances, invite others to assist in supporting their consideration of applicants. If and when conducting interviews, the Nominating Panel is encouraged to use the Interview Guide (Appendix B). The decision to recommend appointments to Council shall be made by members of the COW only. Council will consider the recommendations and appoint members.
**B-5. Stakeholders as Nominating Panels**

Where the terms of reference indicate that the interests of stakeholders are to be represented on a committee or to obtain special expertise from a professional or technical organization, one or more positions may be nominated by specific interest groups. In that case, the designated special interest/stakeholder group, or professional/technical organization is invited to nominate members. The nominations shall be forwarded to the COW and Council for approval.

**B-6. Notice of Vacancy**

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

As best as practicable, the following communications measures will be used to provide public notice around AC vacancies:

- Publishing two notices of the vacancies, one week apart, in the City pages of the local newspaper
- Publishing the vacancies on the City’s website as soon as practicable
- Making forms available at City facilities
- Providing announcements at Council and Committee Meetings (timelines permitting)
- Communicating vacancies to the Volunteer Centre of Guelph-Wellington
- Publishing as part of regularly scheduled City mail outs or newsletters (timelines permitting)
- Publishing by way of email distribution lists to any individuals or groups requested to be notified
- Publishing vacancies by way of the City’s social media channels

For vacancies that occur throughout the year the vacancy will be filled in the last quarter of each year. In the event of urgency (e.g. lack of quorum) the appointment may be made from the list of previous candidates.

All notices of vacancy should describe the position broadly enough to elicit a wide response from qualified applicants as well as outline the eligibility criteria and key qualifications for the position. The notice shall also contain the name of the Committee, approximate number of meetings per year, usual meeting date/time and a brief description of the AC. It shall also specify the process for submitting applications, a deadline for receipt of applications. Where applicable, the notice should direct potential applicants to the City’s web site for more detailed information on the AC.

**B-7. Application Process**

Application forms are available at ServiceGuelph, in City Hall and in electronic form on the City’s web site, along with the notice of vacancy. Applications are to be made available in large print format upon request. Applicants may submit their completed application forms via regular mail, fax, electronically or in person to the attention of the City Clerk.
With the exception of those applying to be members of the Accessibility Advisory Committee, all applicants must fully complete the **Advisory Committee and Local Board Application Form (Appendix C1)** which may be downloaded from the City website or obtained from ServiceGuelph. As there are legislative requirements regarding the membership composition of the Accessibility Advisory Committee (AAC), those applying must complete the **AAC Advisory Committee Application Form (Appendix C2)**.

Applicants wishing to apply for more than one AC may submit their intention to do so on one application form.

**B-8. Incumbents**

Incumbents meeting the eligibility requirements for appointment may indicate their intention to apply for reappointment by advising the Staff Liaison and the City Clerk’s Office, in writing or by way of email. In all such cases, the incumbent’s initial application will be considered along with any supplemental information provided. Applications for reappointment shall be considered by the Staff Liaison prior to the solicitation of additional applications from the public at large. Following the Staff Liaison’s consideration for recommendations to Committee and Council, with respect to reappointing incumbents, all remaining vacancies shall be advertised for recruitment pursuant to the above noted process. Incumbents are not guaranteed to be reappointed.

**B-9. Communication of Appointments**

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. All applications shall be acknowledged after Council has approved the appointments recommended by the COW.

The applications of those not appointed will be kept on file in accordance with the City’s Records Retention By-law. Applications from those who have been appointed will be kept in accordance with the City’s Records Retention By-law.

**C. ADVISORY COMMITTEES: ADMINISTRATION**

**C-1. Meeting Procedures**

Please refer to the **Advisory Committee Meeting Procedures (separate document)** to reference the approved procedures to the governance and administrative practices relating to ACs. If matters are not provided for as part of these procedures, then the Council Procedural By-law is to serve as the guiding document as best as practicable.

**C-2. Removal of AC Members**

Despite the approved term, all residents are appointed at the pleasure of Council and Council retains the right to replace any appointed member at any time and for any reason.

Unless otherwise specified in the Terms of Reference, if a member misses three consecutive meetings without a resolution of the Advisory committee allowing such, the appointee will be deemed to have forfeited their Advisory committee position subject to an opportunity for the member to address the Advisory committee in writing regarding their
absenteeism. The staff liaison will prepare a report to the COW with the recommendation of the AC. Council reserves the right to make the final decision regarding ending appointments.

C-3. Remuneration of AC Members
Generally, the members of the AC’s serve on a voluntary basis and as such do not receive any form of remuneration. There are cases of Committees (usually those which are quasi-judicial) that offer remuneration to its public members. In these cases the fact that they are to be remunerated, should be included in the terms of reference for the committee.

C-3. Roles and Responsibilities

Committee of the Whole:
- To recommend appointments to Council
- To review applications and conduct interviews (as required)
- To receive advice and information from the AC either through regular annual reports or through information contained in staff reports
- To recommend striking a new AC, amending the terms of reference for an existing AC or dissolving an existing AC

AC Members:
- To elect a chair and vice chair
- To attend meetings and provide needed skill/knowledge
- To represent interests in the community
- To create working groups as required to report back to them on specific matters
- To work within their Budget (if applicable). AC’s do not have the authority to commit City resources or direct the work of staff.

AC Chair:
- To facilitate and chair the AC meetings
- To work with the Staff Liaison to build and coordinate the AC’s work plan
- To serve as a spokesperson for the AC in respect of interfacing with Committee of the Whole, Council and/or the public at large

Staff Liaison (appointed by respective Deputy CAO):
- To provide orientation to new members
- To work with the chair and vice chair in order to build a work plan for the AC and develop a regular reporting process to the respective Standing Committee with respect to the performance and progress of the AC. The parameters of this should be detailed in the Advisory Committee’s terms of reference (eg. annual presentation, written report etc.)
- To prepare and submit the annual schedule of meetings to the City Clerk
- To review the mandate and terms of reference of the AC prior to the end of each term of Council and be prepared to propose changes at the onset of a new term of Council if required
- To develop the content for vacancy notices
- To manage the interview and selection process and prepare necessary documentation with respect to the proposed appointment of members
- To provide administrative, secretariat and technical support to the AC including the preparation, publication and distribution of minutes and agendas
• To provide procedural and technical advice (staff liaisons do not have voting privileges)
• To incorporate input from the AC into staff reports where appropriate

City Clerk’s Office:
• To facilitate and support the recruitment and appointment process
• Provide training, advice and support to the Staff Liaisons

D. AGENICES, BOARDS, CORPORATIONS AND COMMISSIONS:

Agencies, Boards, Corporations and Commissions (ABC’s) are commonly established through legislation that mandates the composition whether it is elected members or resident members or both. Most ABC’s have responsibility for the management and administration of certain public services, are appointed in whole or in part by Council and have such authority as is delegated to them by the relevant by-laws of Council or by a provincial or federal statute.

Except as otherwise provided for by legislation, the above noted conditions with respect to AC’s also apply to the ABC’s with the following exceptions:

Dissolving ABC’s and Amending Terms of Reference
The City has no authority to dissolve an ABC which is mandated by way of provincial or federal statute, nor amend the terms of reference of same. In all such cases, any such action shall be managed pursuant to the relevant legislation as amended from time to time.

ABC’s as Nominating Panels
In some instances, nominations for appointments are made by the ABC itself, although in most cases, the COW and Council must approve the proposed appointments as well as the conditions associated thereto. All such information shall be coordinated by the City Clerk’s Office pursuant to regular agenda production processes.
# Appendix A

## Advisory Committee

### Terms of Reference

<table>
<thead>
<tr>
<th>Advisory Committee Name:</th>
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<tbody>
<tr>
<td>Parent Service Area:</td>
<td></td>
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<tr>
<td>Number of Members:</td>
<td><em>(assumed to be members of the public, indicate otherwise)</em></td>
</tr>
<tr>
<td>Date of Formation:</td>
<td>Expiration Date <em>(if applicable)</em>:</td>
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<tr>
<td>Staff Liaison Support Position:</td>
<td>Service Area/Department:</td>
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<tr>
<td>Meeting Frequency:</td>
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<tr>
<td>Applicable Legislation/By-Law:</td>
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<tr>
<td>Link to Corporate Administration Plan:</td>
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<td>Frequency of Reporting to Council:</td>
<td></td>
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<tr>
<td>Mandate:</td>
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<tr>
<td>Goals/Objectives:</td>
<td></td>
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<tr>
<td>Special Skills required for members:</td>
<td></td>
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<tr>
<td>Budget:</td>
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Staff Liaison Name:  
Signature: ______________________

Deputy CAO Name:  
Signature: ______________________
Appendix B

Advisory Committee Nominating Panel Interview Guide

Candidate:                                                                                       
Position:                                                                                       
Interviewer:                                                                                     
Date:                                                                                           

Opening Criteria:

• Provide Committee mandate/goals/objectives
• Provide Committee time commitments i.e., date and time of meetings, number of meetings
• Provide introduction and outline format of interview(s)

Potential Questions:

1. Interest
   • What about this committee (or Agency/Board/Commission) most interests you?

2. Experience
   • What in your past experience and education relates to the work of this committee?

3. Skills (General) Liaison, Communication, Negotiation, Decision Making
   • Give examples of strategies you use to communicate effectively with others who have different points of view
   • Please give us an example of when you have thought outside the box, what were the associated challenges?
   • How do you go about making important decisions?
4. **Skills Specific to this Position**
- What skills do you bring to the table?
- Please explain your skills related to ...... (details to be provided by staff liaison)

5. **Problem Solving & Conflict**
- Give an example of a difficult interaction or conflict you have had and how you dealt with it.
- Describe a creative solution that you have developed to solve a problem.
- How would you define a good working atmosphere?

6. **Potential conflict of interest**
- Are you, your partner or children:
  - currently doing business with, or working as a consultant for the agency or the City?
  - have any conflict of interest direct or indirect, in outstanding litigation involving the City?

7. **Meeting commitment**
- Are you able to attend meetings on .....(state the time dates and locations as per the Notice of vacancy)

**Closing:**
- Solicit questions or additional comments from the candidate
- Ask any follow up questions
- Provide candidate with a timeline to conclude interviews and make a selection decision

**Interview Synopsis:**
Appendix C1
Advisory Committee and Local Board Application Form

<table>
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<th>Name:</th>
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</thead>
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| Address (include postal code): |

| *Home Tel: | Fax: |
| *Business Tel: | Email: |

Advisory Committee(s) or Board(s) To Which You Are Seeking Appointment
Please list order of preference:

1.
2.
3.

Are you currently a member of any other city committee/board? If so, please list the name and the date of term expiry.

Please list the reasons for seeking appointment to this (these) Committee(s) and other Information you feel may be helpful in considering your application.

Please list the skills/qualifications/knowledge you would bring to the committee position.

Please list prior or current community involvement or experience with the City or otherwise: (past experience is not necessarily a pre-requisite for appointment)
City Council’s Policy Limits Membership on A Board Or Committee To A Maximum Of Eight (8) Years. Indicate Below If You Have Served On The Committee Before And If So, For How Many Years.

Have You Served On This Committee Before? Yes_____ No_____ No. Of Years____

Please attach any additional information such as a resume or reference letter which would assist in considering your application.

Signature:______________________________ Date:________________

By signing this form and if selected to be a member of a committee/board as the case may be, I agree to abide by the rules of the Committee/board and attend meetings to the best of my ability and understand that absence from meetings pursuant to the policy or the terms of reference is grounds for my removal as a member of the Committee.

Please return your completed application to the attention of:

City Clerk’s Office
City Of Guelph
1 Carden Street
Guelph, ON N1H 3A1

or: fax to 519-837-5603
or: email to clerks@guelph.ca

In order to be eligible for appointment, you must be a resident or owner of property in Guelph and 16 years of age or over.

If you would require assistance to complete this form or would like additional information, please contact the City Clerk’s Office at (519) 837-5603.

Personal information, as defined by Section 2(i) of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) is collected under the authority of the Municipal Act, 2001, and in accordance with the provisions of MFIPPA. Personal information on this form will be used to assess the candidates qualifications for appointment to one of the City’s various committees or boards. Personal information may form part of meeting agendas and minutes, and therefore may be made available to members of the public at the meetings, through requests, and through the website of the Corporation of the City of Guelph. Questions regarding the collection, use, and disclosure of this personal information may be directed to the Information, Privacy and Records Coordinator, City Clerk’s Office, 1 Carden Street, Guelph, Ontario, N1H 3A1. The Nominating Panel reserves the right to check references and verify information contained on these forms.
Appendix C2

APPLICATION TO CITY COUNCIL FOR APPOINTMENT TO GUELPH ACCESSIBILITY ADVISORY COMMITTEE (AAC)

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<th>Name:</th>
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<table>
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<tr>
<th>*Home Tel:</th>
<th>Fax:</th>
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<th>*Business Tel:</th>
<th>Email:</th>
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*Please note if the Phone Numbers are TTY

**Note:** The Ontarians with Disabilities Act requires that at least 50% of an Accessibility Advisory Committee be persons with disabilities. This information will be kept confidential.

- I am a person with a disability
- I am a care-giver for a person with a disability
- I am familiar with issues facing persons with disabilities
- None of the above, but I am interested in being a member of the committee

Are you currently a member of any other City committee/board? If so, please list the name and the date of term expiry.

Please list the reasons for seeking appointment to this Committee and other Information you feel may be helpful in considering your application.

Please list the skills/qualifications/knowledge that you would bring to the committee position.
## COMMITTEE & COMMUNITY EXPERIENCE
(past experience is not necessarily a pre-requisite for appointment)
List any past or current involvement with Community Advisory Committees and/or Boards beginning with the most recent first.

<table>
<thead>
<tr>
<th>COMMITTEE/ORGANIZATION</th>
<th>FROM</th>
<th>TO</th>
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<tbody>
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<td>A.</td>
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<td>B.</td>
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<td>C.</td>
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</table>

May we contact any of the above named organizations for reference purposes?

Yes ___ No ____

Comment:

---

City Council’s Policy Limits Membership on A Board Or Committee To A Maximum Of Eight (8) Years.

Have Served On The Committee Before? Yes_____ No_____

If yes, Number of Years ______

Please attach any additional information such as a resume or reference letter which would assist in considering your application.

Signature:_________________________ Date:________________

**By signing this form and if selected to be a member of this committee I agree to abide by the rules of the committee and attend meetings to the best of my ability and understand that**
absence from 3 consecutive meetings is grounds for my removal as a member of the Committee

Please return your completed application to the attention of:

City Clerk’s Office, City Of Guelph
1 Carden Street, Guelph, ON N1H 3A1

or:  fax to: 519-837-5603
or:  email to clerks@guelph.ca

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