

THE MUNICIPALITY OF SOUTHWEST MIDDLESEX

BY-LAW NO. 2009/056


BEING A BY-LAW TO ESTABLISH AN
ACCOUNTABILITY AND TRANSPARENCY POLICY

WHEREAS the Municipal Act, S.O. 2001, c.25, Section 270(1) 5. provides that a municipality shall adopt and maintain a policy with respect to the manner in which the municipality will try to ensure that it is accountable to the public for its actions, and the manner in which the municipality will try to ensure that its actions are transparent to the public.

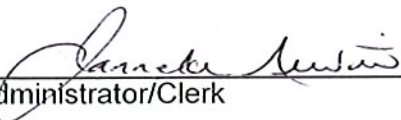
AND WHEREAS it is deemed necessary and expedient to establish an "Accountability and Transparency Policy" to comply with the new legislative requirements:

1. That pursuant to a provision of the *Municipal Act, Section 270(1)5*, Accountability and Transparency Policy attached as Schedule "A" to this By-law, is hereby adopted by the Municipality of Southwest Middlesex.
2. This By-law shall come into force and effect on the date of passing.

Read a first and second time this 26th day of August, 2009.



Mayor




Administrator/Clerk

Read a third time and finally adopted this 26th day of August, 2009.



Mayor



Administrator/Clerk



SOUTHWEST MIDDLESEX

ACCOUNTABILITY AND TRANSPARENCY POLICY

(Schedule "A" to By-law No. 2009/ 056)

The *Municipal Act, 2001* (the Act) requires that all municipalities adopt and maintain a policy with respect to the manner in which the municipality will try to ensure that it is accountable to the public for its actions, and the manner in which the municipality will try to ensure that its actions are transparent to the public. The purpose of this policy is to provide guidance for the delivery of the municipality's activities and services in accordance with the principles as outlined herein. This policy has been developed in accordance with the Act to comply with Section 270.

1. Definitions

- a) **Accountability** - The principle that the Municipality will be responsible to the public for its actions, decisions and policies as implemented and may be required to explain them or be answerable for resulting consequences.
- b) **Transparency** - The principle that the Municipality actively encourages and fosters the public's participation and openness in its decision making process. Additionally, transparency means that the Municipality's decision making process is open and clear to the public.
- c) **Municipality** – The Corporation of the Municipality of Southwest Middlesex.

2. Policy Statement

The Council of the Municipality acknowledges that it is responsible to provide good government for its stakeholders in an accountable and transparent manner by:

- a) Encouraging public access and participation to ensure that decision making is responsive to the needs of its constituents and receptive to their opinions;
- b) Delivering high quality services to our citizens; and
- c) Promoting the efficient use of public resources.

Accountability, transparency and openness are standards of good government that enhance public trust. They are achieved through the Municipality adopting measures ensuring, to the best of its ability, that all activities and services are undertaken utilizing a process that is open and accessible to the public. In addition, wherever possible, the Municipality will engage the public throughout its decision making process which will be open, visible and transparent to the public.

3. Policy Requirements

The principles of accountability and transparency shall apply equally to the political process and decision making and to the administrative management of the Municipality.

a) Financial Matters

The Municipality will be open, accountable and transparent to its stakeholders in its financial dealings as required under the Act. Some examples of how the Municipality provides such accountability and transparency are as follows:

1. External audit
2. Reporting financial statements
3. Long term financial planning
4. Asset management
5. Purchasing/procurement
6. Sale of land
7. Budget process
8. Fees and charges by-law

b) Internal Governance

The Municipality's administrative practices ensure specific accountability on the part of its employees through the following initiatives:

1. Code of conduct for staff
2. Performance management and evaluation
3. Hiring policy
4. Orientation/continuing education
5. Health and safety
6. Work/life balance
7. Compensation/benefit
8. Responsibility for ensuring that administrative practices and procedures recognize Council's commitment to accountability and transparency (CAO)

c) Public Participation and Information Sharing

The Municipality ensures that it is open and accountable to its stakeholders through implementing processes outlining how, when and under what rules meetings will take place. The Municipality's meetings will be open to the public when and as required under the Act, and members of the public will have an opportunity to make delegations or comments in writing on specific items at these meetings. In addition, the Municipality has adopted policies which ensure that participation by the public can be meaningful and effective, through timely disclosure of information by various means including notices, print media, websites, etc. Some specific examples include:

1. Procedure by-law
2. Strategic plan
3. Delegation rules
4. Records retention
5. Planning processes
6. Public notice by-law or policy
7. Access to agendas and minutes of council and committee of adjustment

4. Additional Accountability Measures

Other accountable measures that the Municipality must follow also contribute to ensuring an accountable and transparent Council include:

1. Accountability and Transparency Policy
2. OMBUDSMAN/Investigator
3. Municipal conflict of interest
4. MFIPPA (Municipal Freedom of Information Protection and Privacy Act)
5. Ontario Municipal Board inquiries and other performance or outcome measurements and report
6. Building Code Act
7. Cemeteries Act
8. Planning Act
9. Fire Prevention and Protection Act
10. Municipal Elections Act
11. Emergency Management and Civil Protection Act