

**Management’s Response to the Auditor General’s  
Audit of City Performance in Achieving Access, Equity and Human Rights Goals**

<u>Rec No</u>	<u>Recommendation</u>	Agree (X)	Disagree (X)	<u>Management Comments:</u> <i>(Comments are required only for recommendations where there is disagreement.)</i>	<u>Action Plan/ Time Frame</u>
1.	<p><b>The City Manager review the organizational placement of the Human Rights Office with a view to identifying opportunities for enhancing its level of independence and authority recognizing:</b></p> <p>(a) <b>The importance attached to the Human Rights Office;</b>                      (b) <b>The need for the independence of the Office; and</b>                      (c) <b>Recent changes to the Ontario Human Rights Code.</b></p> <p><b>Further, the City Manager report to City Council by June 2010 on the impact of the changes to the Ontario Human Rights Code. Such information to include the number of complaints filed at the Human Rights Tribunal of Ontario involving the City, complaint resolutions and the associated costs.</b></p>	X			<p>A review of the organizational placement of the Human Rights Office (HRO), considering the issues identified in this recommendation, will be undertaken in 2009/2010. A review of required resources needed for a more independent HRO will also need to be incorporated as part of the review of its organizational placement.</p> <p>Recommendation 4 of the June 2008 report to Council on Human Rights and Anti-Harassment Policy Amendments stated: <i>“the city manager [shall] report in one year on the City’s experience with the amended Ontario Human Rights Code”</i>.</p> <p>The City Manager has committed to report to City Council, in the 2009 <i>Human Rights Office Annual Report</i> (to be submitted in June 2010), the impact of changes to the Code. The report will include the number of complaints filed at the Human Rights Tribunal of Ontario against the City, complaint resolutions and the associated costs. Confidentiality agreements and legal issues will need to be considered with regard to full reporting of the remedies and associated costs of resolved complaints.</p>

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2.	<b>City Council request all Agencies, Boards, Commissions and Corporations to report to Council by June 2009 whether they have developed a human rights policy and related complaint procedures, whether the policy and procedures are in keeping with provisions in the City’s policy and procedures, and implementation of these policies and procedures.</b>	X			The City Manager’s Office will communicate this recommendation to Agencies, Boards and Commissions upon adoption of this report by City Council.
3.	<b>City Council request the major Agencies, Boards, Commissions and Corporations to provide an annual human rights report to Council detailing the numbers and types of human rights complaints received by the Human Rights Tribunal of Ontario involving the respective Agency, Board, Commission and Corporation, and the complaint resolutions and associated costs.</b>	X			The City Manager’s Office will communicate this recommendation to Agencies, Boards and Commissions upon adoption of this report by City Council.

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4.	<b>The City Manager, in consultation with the City Solicitor, review the existing complaint protocol of the Integrity Commissioner in order to ensure that Councillor related human rights and harassment complaints are dealt with in a manner consistent with other complaints and is in the best interest of the public.</b>	X			The joint review and development of Human Rights and Anti-Harassment Complaint Procedures for Members of Toronto City Council is currently in progress by the City Manager’s Office and City Solicitor's Office to be completed in mid-2009. A review of the applicability of human rights complaints and the Integrity Commissioner's function is part of this review. This will require the participation of the Integrity Commissioner.
5.	<b>The Executive Director of the Human Resources Division, in view of current changes to the Ontario Human Rights Code, review the current level of resources in the City’s Human Rights Office to ensure that it is adequately resourced to carry out its responsibilities.</b>	X			The Executive Director of Human Resources has made a submission to the 2009 budget process for an additional Human Rights Consultant position for the Human Rights Office in light of current and anticipated increased work load. A further review will be required resulting from the various recommendations made in the AG's report (e.g., Recommendations #1, #6, #7, and #8.)

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6.	<b>The Executive Director of the Human Resources Division consider adapting the Fraud and Waste Hotline complaint management system for use by the Human Rights Office to improve efficiency in complaint in-take and management functions.</b>	X			The Executive Director of Human Resources will undertake a review, in 2009, of the complaint intake and management functions within the Human Rights Office and consider whether adapting the AG's Fraud and Waste Hotline Complaint management system would be beneficial to its effective operations.
7.	<b>The City Manager increase the profile of the Human Rights Office in order to ensure the general public and City employees are aware of its role and mandate. The increased profile be accomplished by providing additional information on the Human Rights Office via the City’s Web site. Consideration also be given to revising the Web page to accommodate a process whereby human rights complaints can be submitted online.</b>	X			An increase in the HRO's profile by enhancing the HRO's website and potentially introducing an on-line complaint process will have financial, technical and human resources implications and, therefore, require operating and capital budget approval from the 2010 budget process in order to implement the recommendations.

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8.	<b>The City Manager, in consultation with the City’s Agencies, Boards, Commissions and Corporations, consider creating a consolidated Human Rights Office Web page for receiving human rights or harassment related complaints or enquiries concerning services and practices of the City’s Divisions, Agencies, Boards, Commissions and Corporations.</b>	X		Same as #7 above.	Consultation to take place in 2009 and similar budget approvals required in order to implement in 2010.
9.	<b>The City Manager report back to the Executive Committee as requested by City Council in 2006 on methods by which members of the community can be more actively engaged, and how Council can better interact with community groups that reflect the changing demographics across Toronto.</b>	X		This request has been incorporated into the civic engagement strategy as described in the management comments for recommendation #10.	

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10.	<p>The City Manager complete the development of a City-wide civic engagement strategy as recommended by the Governing Toronto Advisory Panel in 2005. The civic engagement strategy should address issues including:</p> <p>(a) Defining the term “civic engagement” in the context of City operation and service;</p> <p>(b) Developing an inventory of civic engagement activities; and</p> <p>(c) Developing performance indicators.</p>	X		<p><b>The Civic Engagement Strategy</b></p> <ul style="list-style-type: none"> <li>The City Manager’s Office has developed an overall civic engagement strategy that gives consideration to the Governing Toronto Advisory Panel’s recommendations. The strategy incorporates: 1) Strategic co-ordination and advice; 2) Outreach and inclusion; and 3) the development of a sustainable model of participation (engagement through purposeful dialogue).</li> <li>The corporate civic engagement strategy provides overall guidance to the City’s engagement activities. However, civic engagement is embedded at every level and in every program of the City organization, and in both the administrative and political decision-making systems.</li> <li>The civic engagement function has been significantly under-resourced through the 2006, 2007 and 2008 City Budgets. At present, only one full time person is assigned to this work. In the 2009 CMO budget submission civic engagement is noted as a resource priority.</li> </ul>	<p><b>How the strategy was developed</b></p> <p>The strategy has been reviewed in the development and proposal stages as follows:</p> <ul style="list-style-type: none"> <li><u>November and December 2006:</u> Interviews were conducted with 79 key staff.</li> <li><u>May and June, 2007:</u> Civic engagement strategy and presentations and discussions were conducted. including, but not limited to: <ul style="list-style-type: none"> <li>City Clerk’s Office; Strategic Communications Division; Human Resources Division (Organizational Development and Learning); E-gov staff committee; Policy Co-ordinating Team; Executive Environment Team; staff Communications forum</li> <li>Division Heads</li> </ul> </li> </ul> <p><b>Civic engagement strategy - Components</b></p> <p>The strategy includes the following components (completion / implementation dates shown in brackets):</p>

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				<p>Notwithstanding the current resource and budget constraints, there is firm commitment to the strategy and work plan and much has been accomplished.</p> <p>A series of actions and decisions over the past several years have provided guidance to the strategy:</p> <p><b>Governance Structure Changes</b>  <u>November, 2005:</u>            Council adopted in principle the Governing Toronto Advisory Panel report and asked the City Manager to report back on implementation. One of the Panel’s recommendations was to “Enhance civic engagement and community involvement: In consultation with the community, the City develop a shared, common civic engagement strategy that integrates and builds upon activities currently undertaken”. The Panel made this recommendation based, in part, on research and advice it had commissioned from Dr. Pamela Robinson.</p> <p><u>June, 2006:</u>            Council adopted the City Manager’s implementation report on the new governance model, including recommendations about civic engagement.</p>	<ul style="list-style-type: none"> <li>• <u>Civic Engagement Reference Group established</u> with membership of key program leads (2007: meets twice a year (June, November, 2007; May, November 2008; ongoing)</li> <li>• <u>Practitioners Group established</u> with over 300 staff who undertake civic engagement activities as part of their work (formally identified in 2007);</li> <li>• <u>Tools, resources, and advice provided</u> to the practitioners, other staff, and Members of Council (2007/2008, ongoing);</li> <li>• <u>Intranet site developed to connect and provide resources</u> – available to practitioners in May 2008, to all City staff and Members of Council end of October 2008;</li> <li>• <u>A public webpage developed</u> to provide the public a one-stop approach information, and to identify opportunities for providing input and participating in City governance (available by the end of 2008);</li> <li>• <u>A glossary of civic engagement terms and definitions developed</u>, including the definition of civic engagement (June, 2008);</li> <li>• <u>Quarterly newsletter launched</u> for</li> </ul>

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				<p>These recommendations have been incorporated into the strategy.</p> <p><u>June, 2006:</u> In adopting the new governance model, Council established a Council-committee system that is intended to create opportunities for more meaningful deliberation and citizen involvement. Standing Committees have actively incorporated this concept into their meetings.</p> <p><u>November 2006:</u> The Mayor’s mandate includes a commitment to an inclusive and diverse City, and the establishment of a civic engagement office to reach out to Torontonians of all backgrounds and make them feel a part of Toronto.</p>	<p>engagement staff (first edition May 2008, second edition October 2008 – will be ongoing);</p> <ul style="list-style-type: none"> <li>• <u>Research on civic engagement</u> best practices in other municipalities and jurisdictions (Ongoing);</li> <li>• <u>A resource centre established</u> with civic engagement resources, toolkits, research, best practices, official reports and methodologies (Spring 2008);</li> <li>• <u>Workshops and training provided</u> to engagement practitioners as part of the HR training calendar (First course – May 2007; Second course – October 2007; more planned);</li> <li>• <u>Civic literacy units developed</u> to provide introductory and educational information to the public on City governance, programs and services (Fall, 2008);</li> <li>• <u>A sustainable participation model under development</u>, one key component will be outreach and inclusion methods (for implementation in 2009).</li> <li>• The civic engagement strategy will be fully operationalized before the end of 2010 and evaluated over time.</li> </ul>



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11.	<b>The City Manager, in developing a corporate civic engagement strategy, explore the feasibility and cost-benefit of adding an annual public survey to the City’s civic engagement methods. The public survey should collect information relating to improving City services and decision-making. Survey results should be available to the public via the City Web site.</b>	X			
12.	<b>The City Manager, in developing a corporate civic engagement strategy, identify and advise Council on the need for establishing formal civic engagement mechanisms connecting the City’s diverse population groups with City government. Steps to be undertaken should include but not be limited to:</b>  <b>(a) Review and address past operational issues encountered by the Community Advisory Committees, the Working Groups, and the Roundtable on Access, Equity and Human Rights;</b>  <b>(b) Assess current needs for providing opportunities for specific population groups to advise City Council of</b>	X		See response to recommendation #10.  These bodies are established by Council, not by staff. Council reviews all advisory bodies early in each term and makes decisions about their status. The particular bodies being discussed here were not re-established by Council.	

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	<p>issues specific to the groups; and</p> <p>(c) Periodically evaluate formal civic engagement structures to identify and address issues affecting their effectiveness.</p>				
13.	<p><b>The City Manager undertake a review of public suggestions and expert advice from previous public consultations and commissioned research on civic engagement, and incorporate review results into the development of a corporate civic engagement strategy. Future public consultations should focus on obtaining public input related to City services, efforts and decision-making rather than how best to obtain public input.</b></p>	X		<ul style="list-style-type: none"> <li>All public comments and suggestions from previous consultations and research have been reviewed. The civic engagement work plan has incorporated the themes that emerged from these sources as well as other data and research.</li> <li>Wherever possible the focus will be on new areas of discussion, however, the topic of public consultation depends on context and prevailing conditions. It is very important to ensure that any subject is relevant, topical and of real interest and benefit to Torontonians regardless of whether it was discussed in prior consultations. It is anticipated that the City will want to consult with the public periodically on the issue of engagement to monitor effectiveness and success in this area.</li> </ul>	<ul style="list-style-type: none"> <li>Review of previous consultations and research was completed during 2007 and 2008 and included in the civic engagement strategy.</li> </ul>

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14.	<b>The City Manager consider establishing a formal process to seek employee input on a proactive and regular basis on equity and diversity issues related to the community and the workplace.</b>	X			<p>The Black African Canadian Employment Equity Pilot Project, is one example of a formal process that gives employees the opportunity to provide input on equity and diversity issues. In place since 2007, this pilot project has resulted in the implementation of initiatives to address the under-representation of Black African Canadian employees in senior management positions in the TPS. An employee engagement survey, planned for 2010 is another example of a formal process that will provide the opportunity for employee input on equity and diversity issues.</p> <p>The InterDivisional Staff Team on Access Equity and Human Rights includes representation from across all Divisions and meets quarterly to share information on access equity and human rights action planning.</p> <p>Regular community input is obtained through the Council established Disability Issues Committee and Aboriginal Affairs Committee.</p>

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					In addition, the City has established a joint staff/community consortium to share data and track research and issues of importance to the community.
15.	<b>The Executive Director of the Human Resources Division provide a detailed report to Council by March 2009 on results of the 2007 workforce survey for non-union employees, including information on representation of designated groups and comparative results with census data.</b>	X			
16.	<b>The Executive Director of the Human Resources Division review how other large organizations conduct workforce surveys and, where appropriate, adopt methods used by the other organizations to improve the response rate of the City workforce survey of unionized employees.</b>	X			A review of other large employer organizations' methodologies and their approaches to the survey of unionized staff on equity issues, etc. is currently underway by Human Resources staff. HR plans to work with the employee unions/groups to re-develop new and fully supported surveys that will have the full endorsement of the unions and employee associations. The review, consultations, development of and the introduction of a new workforce survey to be completed in 2009.

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17.	<p><b>The Executive Director of the Human Resources Division take steps to increase the workforce survey response rate among new City employees. Such steps should include, but not be limited to:</b></p> <p>(a) <b>Improving the survey distribution method; and</b></p> <p>(b) <b>Improving the communication of the purpose and benefits of the survey to new City employees.</b></p>	X			<p>A review of other large employer organizations' methodologies and their approaches to the survey of unionized staff on equity issues, etc. is currently underway by Human Resources staff. HR plans to work with the employee unions/groups to re-develop new and fully supported surveys that will have the full endorsement of the unions and employee associations. The review, consultations, development of and the introduction of a new workforce survey to be completed in 2009.</p>
18.	<p><b>The Executive Director of the Human Resources Division consider posting workforce survey results on the City Web site to demonstrate the City’s commitment to creating an inclusive workforce.</b></p>	X			<p>To be posted for non-union employees subsequent to conclusion of the March 2009 report (see recommendation #15). To be posted subject to discussions with the unions and associations as part of the dialogue and actions undertaken in recommendations #16 and #17.</p>

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19.	<p><b>The Executive Director of the Human Resources Division take steps to develop a proactive employment equity plan. Such a plan should include but not be limited to:</b></p> <p>(a) Establishing corporate objectives for equitable representation of diverse groups;</p> <p>(b) Providing measures to remove barriers in achieving employment equity; and</p> <p>(c) Including mechanisms for measuring and monitoring progress.</p>	X			<p>This recommendation is addressed in the recently approved People Plan approved by Council in September 2008. The Plan includes the Goals: "We will attract and retain a skilled, high performing and diverse workforce" and "We will build a positive workplace culture."</p> <p>The People Plan sets out a number of objectives, actions and measurements to be undertaken during the 2008-2011 period. Implementation of the Plan is underway which will effectively address recommendations provided herein.</p>
20.	<p><b>The City Manager determine the feasibility and merit of establishing a corporate fund for employment accommodation. Where appropriate, divisional budgets be adjusted to reflect this change. Such a review take into account the practices of other organizations.</b></p>	X			<p>City Manager will make a determination of estimated corporate funding requirements, in conjunction with legislative requirements under the Accessibility for Ontarians with Disabilities Act, 2005, (AODA) and report through the 2010 budget submission.</p>

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21.	<b>The Executive Director of the Human Resources Division develop strategies, objectives and action plans to increase employees' awareness of human rights and diversity issues in the workplace. Further, the Executive Director ensure diversity and human rights training is considered a corporate priority in developing training strategies, goals and objectives under the City's Learning Strategy 2008-2011.</b>	X			The Executive Director of the Human Resources Division will develop multiple strategies and activities, within all divisions, that train, educate, communicate and promote diversity and human rights in the workplace. The recently approved TPS People Plan includes the Goal: <i>We will build a positive workplace culture.</i> In the People Plan, all divisions including the Human Resources Division, are challenged to develop and improve their workplace cultures.
22.	<b>The City Manager report to Council on the development of a Toronto Urban Aboriginal Strategy and an Aboriginal Office by June 2009.</b>	X			Report will be submitted in the 3 <sup>rd</sup> quarter 2009 after consultation with the Aboriginal Affairs Committee and community leaders within the Aboriginal Community. This consultation will be undertaken in keeping with Council's commitment to the principle of Aboriginal self-determination.

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23.	<b>The City Manager report to Council on the pilot test results of the application of the Equity Lens and the Equity Impact Statement as directed by Council in 2006. The report should also provide clear recommendations on the next implementation steps of this initiative.</b>	X		The City Manager reported to the September 2008 council meeting on how the equity lens was being implemented and advised that a report will be submitted in the Fall 2009.	A report on the implementation on the equity lens will be submitted in the 4 <sup>th</sup> quarter 2009.
24.	<b>The City Manager direct all City divisions to develop their respective Access, Equity and Human Rights Action Plan in accordance with Council direction.</b>	X		The City Manager's Office has requested all divisions which have not submitted AEHR action plans to assign staff to prepare action plans.	The Action Plans for the next reporting period (2009-2011) are scheduled for submission to the Executive Committee in the 1 <sup>st</sup> quarter 2009.
25.	<b>The City Manager consider the following for further improving divisional action planning in relation to access, equity and human rights:</b>  (a) Shortening the planning cycle from three to two years; and (b) Requesting divisions to link implementation status to planned activities on an annual basis.	X		At its July 2008 meeting City Council approved a time frame for reporting action plans for 2009-2011 and the results of 2008 implementation.	Action Plans for 2009-2011 are scheduled for submission to the Executive Committee in the 1 <sup>st</sup> quarter, 2009.



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26.	<b>The City Manager provide divisions with adequate staff training and corporate support to help improve the effectiveness of action plans including the development of task-specific activities and measurable performance indicators relevant to corporate direction and divisional objectives.</b>	X			The CMO will work with the corporate training staff to develop specific workshops for staff involved in developing and evaluating Action Plans.  Planning is already underway for the high level submission of 2009-2011 Action Plans.
27.	<b>The City Manager establish a formal process whereby access, equity and human rights initiatives and accomplishments by the City's major Agencies, Boards, Commissions and Corporations is systematically tracked and reported to City Council on a periodic basis.</b>	X		This recommendation is covered by #28.	
28.	<b>City Council request the City major Agencies, Boards, Commissions and Corporations to complete an access, equity and human rights action plan consistent with divisional action plans by 2010. The City Manager should facilitate the planning process and report to City Council on implementation status.</b>	X		At its July 2008 meeting, City Council requested Agencies, Boards, Commissions and Corporations to advise Council in 2009 on their access, equity and human rights initiatives and accomplishments.	This request has been communicated to ABCC's.  A progress report will be submitted in the 3 <sup>rd</sup> quarter 2009.

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29.	<b>The Executive Director of the Human Resources Division, in consultation with the City Manager, consider including specific access, equity and human rights performance indicators in the annual performance evaluation of management staff.</b>	X			Performance indicator shall be added to performance planners for 2009-2010.