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June 3, 2009

Ms. Ulli Watkiss
City Clerk
City of Toronto
Toronto City Hall
100 Queen Street West
Toronto, Ontario
M5H 2N2

Dear Ms. Watkiss:

At its meeting on Thursday May 28, 2009 the Commission considered the attached report entitled, "Audit of City Performance in Achieving Access, Equity and Human Rights Goals."

The Commission adopted the Recommendations contained in the report, as listed below:

"It is recommended that the Commission approve staffs' response to the recommendations of the Auditor General, Jeff Griffiths, as outlined in his report to the Audit Committee dated October 14, 2008 (Appendix "A")."

The foregoing is forwarded to the Audit Committee for information.

Sincerely,

A handwritten signature in cursive script that reads 'G Webster'.

Gary Webster
Chief General Manager

1-86
Attachment



RECYCLED PAPER

TORONTO TRANSIT COMMISSION

REPORT NO. 8(c)

MEETING DATE: MAY 28, 2009

SUBJECT: AUDIT OF CITY PERFORMANCE IN ACHIEVING ACCESS,
EQUITY AND HUMAN RIGHTS GOALS

ACTION ITEM

RECOMMENDATION

It is recommended that the Commission approve staffs' response to the recommendations of the Auditor General, Jeff Griffiths, as outlined in his report to the Audit Committee dated October 14, 2008 (Appendix "A").

BACKGROUND

The Auditor General, Jeff Griffiths, conducted an audit to determine the extent to which the City has achieved its access, equity and human rights. A report dated October 14, 2008, was provided to the City of Toronto's Audit Committee outlining various recommendations (Appendix "A"). The Toronto Transit Commission is to report back to Council by June 2009 in response to recommendations 2 and 3.

DISCUSSION

The following is the response to recommendations 2 and 3:

2. The Toronto Transit Commission ("TTC") has had a Workplace Harassment policy in place since 1984. The policy reflects the City of Toronto's Human Rights policy, including the responsibilities of senior management, supervisory staff and front line employees. The policy also contains procedures on how complaints are received and managed.
3. As directed in the Auditor's recommendation, the TTC will provide to City Council, an annual Human Rights report on complaints filed with the Human Rights Tribunal of Ontario against the TTC. The report will include the number and types of complaints received, with resolutions and associated costs.

**STAFF REPORT
ACTION REQUIRED****Audit of City Performance in Achieving Access, Equity and Human Rights Goals**

Date:	October 14, 2008
To:	Audit Committee
From:	Jeff Griffiths, Auditor General
Wards:	All
Reference Number:	

SUMMARY

This is the second audit conducted by the Toronto Auditor General relating to access, equity and human rights. The overall objective of the audit was to determine the extent to which the City has achieved its access, equity and human rights goals. The audit covered the period from January 2004 to September 2008.

Since our last audit in 2003, the City has made progress in a number of areas and has undertaken numerous new initiatives. In particular, Council direction for City Divisions to develop access, equity and human rights plans has been implemented. This is a significant step in integrating access and equity into City service and operation.

However, a number of other areas can be further improved. To achieve its access, equity and human rights goals, the City needs to enhance its human rights complaint management process, develop a corporate civic engagement strategy, implement a workforce survey, and increase its level of diversity and human rights training.

The City should also look outward to other organizations many of which have invested considerable resources and efforts in making diversity and equity part of their organizational culture. Our audit consisted of a benchmarking component to identify access and equity related practices in six organizations which were recipients of 2008 Canada's Best Diversity Employer Award. A number of the audit recommendations were made on the basis of practices of these organizations.

Implementation of the recommendations made in this report will assist the City in achieving Corporate access, equity and human rights goals.

RECOMMENDATIONS

The Auditor General recommends that:

1. 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:
 - (a) The importance attached to the Human Rights Office;
 - (b) The need for the independence of the Office; and
 - (c) Recent changes to the Ontario Human Rights Code.

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.

2. 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.
3. 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.
4. 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.
5. 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.
6. 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.

7. 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.
8. 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.
9. 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.
10. 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:
 - (a) Defining the term "civic engagement" in the context of City operation and service;
 - (b) Developing an inventory of civic engagement activities; and
 - (c) Developing performance indicators.
11. 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.
12. 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:
 - (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) Assess current needs for providing opportunities for specific population groups to advise City Council of issues specific to the groups; and
 - (c) Periodically evaluate formal civic engagement structures to identify and address issues affecting their effectiveness.

13. 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.
14. 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.
15. 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.
16. 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.
17. 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:
 - (a) Improving the survey distribution method; and
 - (b) Improving the communication of the purpose and benefits of the survey to new City employees.
18. 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.
19. 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:
 - (a) Establishing corporate objectives for equitable representation of diverse groups;
 - (b) Providing measures to remove barriers in achieving employment equity; and
 - (c) Including mechanisms for measuring and monitoring progress.
20. 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.

21. 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.
22. The City Manager report to Council on the development of a Toronto Urban Aboriginal Strategy and an Aboriginal Office by June 2009.
23. 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.
24. The City Manager direct all City divisions to develop their respective Access, Equity and Human Rights Action Plan in accordance with Council direction.
25. The City Manager consider the following for further improving divisional action planning in relation to access, equity and human rights:
 - (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.
26. 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.
27. 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.
28. 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.
29. 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.

FINANCIAL IMPACT

Implementation of certain recommendations included in this report may require additional costs while other recommendations may result in cost savings. The extent of any resources required or potential cost savings resulting from implementing the recommendations in this report is not determinable at this time.

DECISION HISTORY

This is the second audit conducted by the Toronto Auditor General relating to access, equity and human rights. Our first audit was conducted in 2003 in response to recommendation number 85 by the Task Force on Community Access and Equity, adopted as amended by City Council in December 1999. In May 2004, City Council reiterated the request for the Auditor General to conduct an access and equity audit once in each term of Council. This audit was conducted as part of the Auditor General's 2008 Annual Work Plan.

COMMENTS

The Auditor General's report entitled "Audit of City Performance in Achieving Access, Equity and Human Rights Goals", contains 29 recommendations and is attached as Appendix 1. Management's response to each of the recommendations contained in this report is attached as Appendix 2.

CONTACT

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SIGNATURE

Jeffrey Griffiths, Auditor General

08-CMO-01