



REPORT FOR INFORMATION

Information on the City of Toronto's Program Advisory Bodies and Public Appointments Policy

Date: July 17, 2018

To: City Council

From: Interim City Manager

Wards: All

SUMMARY

This report responds to City Council's request that the Interim City Manager provide additional information to the July 2018 meeting of Council on whether appointments to Program Advisory Bodies are following the same criteria for selection, method of recruitment, selection of members and term of membership as that of the Public Appointments Policy.

Currently, the recruitment, appointments and terms of the members of the City's Program Advisory bodies conform to the principles of the City's Public Appointments Policy, and the application of Section 10.2 of the Policy.

FINANCIAL IMPACT

There are no financial implications resulting from this report.

DECISION HISTORY

At its meeting of May 22 and 23, 2018, City Council adopted item EX33.10: "Program Advisory Bodies - Key Activities for 2017" with amendments, and requested the Interim City Manager report directly to the July 23, 24 and 25, 2018 City Council meeting with additional information on whether appointments to Program Advisory Bodies are following the same criteria for selection, method of recruitment, selection of members and term of membership as that of the Public Appointments Policy, and the length of service of members who serve on these advisory bodies.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.EX33.10>

COMMENTS

The City's Public Appointments Policy guides City Council and staff in their recruitment and appointment of individuals and representatives of organizations, businesses and the City's partners to the City's boards, agencies and corporations.

Council Advisory Bodies (CABs) are established by City Council under the *Toronto Municipal Code* (c 27, s 130) to provide advice to Committees of Council. Program Advisory Bodies (PABs) are established as per the *City of Toronto Act, 2006* (c 11, s136), to provide advice to City staff on City policies, programs and initiatives. PABs are one consultation mechanism City divisions use to solicit advice and input from stakeholders, community partners and service users.

The Public Appointments Policy (Section 10.1) states that the Policy applies only to bodies which (a) have a City-wide mandate; (b) are supported by City staff; and (c) are composed of citizen members appointed by a political body including the Mayor, City Council, Community Council or other Committee of Council, such as a CAB.

PABs are considered under Section 10.2 of the Public Appointments Policy which states that the provisions and procedures in the Policy may "generally be applied on a discretionary basis where deemed appropriate to guide any application, recruitment and selection processes for advisory bodies that do not meet the criteria in Section 10.1".

Strategic and Corporate Policy is responsible for the coordination of the Terms of Reference for CABs and provides guidance and advice to Divisions on their development of Terms of Reference for PABs and other City bodies including taskforces, Mayor's or Blue Ribbon panels, and roundtables.

When establishing Terms of Reference for PABs, including membership, frequency of meetings and term-lengths, Divisions apply principles which are consistent with the Public Appointment Policy, including:

- The composition of each body will vary according to specific objectives and is described in the terms of reference for the advisory body (Section: Terms),
- The nominating process, body or individual delegated the responsibility for recommending candidates for appointment will be described in the Terms of Reference. A panel for recruiting members may be constituted, as well as one to short-list and interview candidates (Section: Terms),
- Board members are not expected to have the same knowledge as staff, they are expected to add a perspective beyond the staff view (Section 3.1), and
- Terms of appointment are up to four years with a maximum of 2 consecutive terms for a limit of 8 years. However, members serve until their successor is appointed. Exceptions are set out in the Terms of Reference (Section 4.6)

Recruitment

PABs recruit members as per their terms of reference and using the same methods outlined in the Public Appointments Policy.

The Policy allows for a variety of methods for recruitment including, but not limited to: (i) open, advertised process; (ii) nomination by external interest group; (iii) invitation of individual experts in a desired field; or (iv) election by a membership-based organization. Recruitment may use any, or a combination of methods to achieve diversity or seek individuals for different categories of membership.

The Policy allows that within each recruitment process, other options may be appropriate such as limiting the recruitment area to a local community (Section 5.4). The Policy allows flexibility in the methods by which members are selected and mechanisms to support equity and diversity in recruitment (Section 10.6). Although the Policy (Section 2.1) restricts appointment of members to residents of Toronto who are at least 18 years of age, and where required by law, Canadian citizens, Section 2.2 states that certain boards may have specific additional eligibility requirements.

Similarly, City Divisions may establish broader eligibility requirements for PABs to ensure they engage persons with lived experience or perspectives that meets the mandate of the body, such as to examine issues related to youth or residents who live in the Greater Toronto Area. For example, members on some PABs are anyone who meets the membership criteria (e.g. residing in a specific geographic area, or with a broad interest in a matter), such as the Long Term Waste Management Strategy - Stakeholder Advisory Group, and the R.C. Harris Public Advisory Committee.

Length of Terms

Program Advisory Bodies are one engagement method used by City Divisions and are dissolved when their mandate is complete or when another engagement process is implemented to meet divisional needs. In 2017, 9 PABs completed their mandate and were dissolved, 5 were recessed pending additional consultation, and 6 were created - a level of turn-over consistent with previous years.

Most PABs are created for a limited period. For example, the East Don Trail Environmental Assessment Community Liaison Committee met for the first time in April 2013 and completed its mandate in 2016, while the Youth Employment Action Plan Advisory Committee was established in 2015 for one year. Many PABs meet quarterly, while several meet only one or twice per year.

The Public Appointments Policy allows for members to be appointed for 2, 4-year terms for a total of 8 years. Examples of PABs with limited, defined terms for members include the Design Review Panel (two year terms) and the Toronto Public Art Commission (4 years Terms). In 2017, the longest serving PAB had been in existence for 7 years, one PAB for 5 years, and the remainder for 4 or fewer years.

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SIGNATURE

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