



## Notice of Meeting and Meeting Agenda Governance Committee

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Wednesday, April 5, 2023

9:30 AM

6th Floor Boardroom  
625 Fisgard St.  
Victoria, BC V8W 1R7

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M. Little (Chair), S. Goodmanson (Vice Chair), S. Brice, C. Coleman, B. Desjardins, G. Holman,  
P. Jones, K. Murdoch, D. Murdock, S. Tobias, C. Plant (Board Chair, ex officio)

The Capital Regional District strives to be a place where inclusion is paramount and all people are treated with dignity. We pledge to make our meetings a place where all feel welcome and respected.

### 1. Territorial Acknowledgement

### 2. Approval of Agenda

### 3. Adoption of Minutes

#### 3.1. [23-268](#) Minutes of the February 1, 2023 Governance Committee Meeting

**Recommendation:** That the minutes of the February 1, 2023 Governance Committee meeting be adopted as circulated.

**Attachments:** [Minutes - February 1, 2023](#)

### 4. Chair's Remarks

### 5. Presentations/Delegations

*The public are welcome to attend CRD Board meetings in-person.*

*Delegations will have the option to participate electronically. Please complete the online application at [www.crd.bc.ca/address](http://www.crd.bc.ca/address) no later than 4:30 pm two days before the meeting and staff will respond with details.*

*Alternatively, you may email your comments on an agenda item to the CRD Board at [crdboard@crd.bc.ca](mailto:crdboard@crd.bc.ca).*

### 6. Committee Business

#### 6.1. [23-260](#) Freedom of Information and Protection of Privacy Act (FOIPPA) 2022 Overview

**Recommendation:** There is no recommendation. This report is for information only.

**Attachments:** [Staff Report: Freedom of Information and Protection of Privacy Act \(FOIPPA\) 2022](#)  
[Appendix A: 2022 FOI Request Metrics Tables 1-4](#)

**6.2.      [23-263](#)      Alternative Methods for Public Notice**

**Recommendation:** The Governance Committee recommends to the Capital Regional District Board:  
That staff report back through the Governance Committee on options for public notice bylaw and policy.

**Attachments:**      [Staff Report: Alternative Methods for Pubic Notice](#)  
[Appendix A: Community Charter Sections 94, 94.1 and 94.2](#)  
[Appendix B: Public Notice Regulation](#)

**6.3.      [23-271](#)      Establishment of an Accessibility Advisory Committee**

**Recommendation:** That the Governance Committee recommends to the CRD Board:  
1. that the TOR for the Accessibility Advisory Committee (AAC) be adopted;  
2. that staff be directed to proceed with recruitment of ACC members in accordance with the requirements of the CRD Appointment of Public Members to External Boards Policy;  
3. that the TOR for the Governance Committee be amended to include consideration of matters related to accessibility;  
4. that public members of the AAC receive an honorarium in the amount of \$110.00 per meeting and reimbursement of any necessary travel expenses; and  
5. that staff report back on resources required to support the AAC as part of 2024 service planning.

**Attachments:**      [Staff Report: Establishment of an Accessibility Advisory Committee](#)  
[Appendix A: Accessibility Advisory Committee Terms of Reference](#)

**6.4.      [23-272](#)      Administrative Policy for Intergovernmental Relations and Updated Terms of Reference for the Executive Leadership Team**

**Recommendation:** There is no recommendation. This report is for information only.

**Attachments:**      [Staff Report: Intergovernmental Relations](#)  
[Appendix A: Intergovernmental Relations Policy](#)  
[Appendix B: Executive Leadership Team - Terms of Reference](#)

**7. Notice(s) of Motion****8. New Business****9. Adjournment**

The next meeting is June 7, 2023.

To ensure quorum, please advise Jessica Dorman (jdorman@crd.bc.ca) if you or your alternate cannot attend.

## Meeting Minutes

### Governance Committee

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Wednesday, February 1, 2023

9:30 AM

6th Floor Boardroom  
625 Fisgard St.  
Victoria, BC V8W 1R7

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**PRESENT:**

Directors: M. Little (Chair), S. Goodmanson (Vice Chair), S. Brice, C. Coleman, B. Desjardins, G. Holman, K. Murdoch (EP), S. Tobias (EP), C. Plant (Board Chair, ex officio)

Staff: T. Robbins, Chief Administrative Officer; K. Morley, General Manager, Corporate Services; M. Lagoa, Deputy Corporate Officer; J. Dorman, Committee Clerk (Recorder)

EP - Electronic Participation

Regrets: Director(s) P. Jones, D. Murdock

The meeting was called to order at 9:31 am.

#### 1. Territorial Acknowledgement

Chair Little provided a Territorial Acknowledgement.

#### 2. Approval of Agenda

**MOVED** by Director Plant, **SECONDED** by Director Brice,  
That the agenda for the February 1, 2023 Governance Committee meeting be approved.  
**CARRIED**

#### 3. Adoption of Minutes

##### 3.1. [23-079](#) Minutes of the June 1, 2022 Governance Committee Meeting

**MOVED** by Director Desjardins, **SECONDED** by Director Plant,  
That the minutes of the Governance Committee meeting of June 1, 2022 be adopted as circulated.  
**CARRIED**

#### 4. Chair's Remarks

Chair Little spoke about the mission and the vast responsibilities of the Governance Committee.

## 5. Presentations/Delegations

There were no presentations or delegations.

## 6. Committee Business

### 6.1. [23-089](#) 2023 Governance Committee Terms of Reference

K. Morley presented Item 6.1. for information.

Discussion ensued on the following:

- strategic plan governance priorities impact on the terms of reference
- purpose and jurisdiction language clarification related to a code of conduct

### 6.2. [23-094](#) 2023 Appointments Advisory Committee

K. Morley spoke to Item 6.2.

**MOVED by Director Little, SECONDED by Director Plant,  
The Governance Committee recommends to the Capital Regional District Board:  
That the membership of the Appointments Advisory Committee for 2023 include  
Governance Committee Chair Little and the following two committee members:  
Director Goodmanson and Director Brice.  
CARRIED**

### 6.3. [23-100](#) Consideration of a Board Code of Conduct

K. Morley spoke to Item 6.3.

Discussion ensued on the following:

- enforceability related to policy versus bylaw
- current policies and application to staff, directors and commission members
- drafting process and format
- process timeline

**MOVED by Director Plant, SECONDED by Director Desjardins,  
The Governance Committee recommends to the Capital Regional District Board:  
1. That the CRD Board endorse development of a code of conduct to establish  
shared expectations of responsible conduct and behavior of CRD Directors; and,  
2. That staff be directed to report back to Governance Committee with resources  
and examples to facilitate development of the code of conduct.  
CARRIED**

**6.4.**     [23-097](#)     Bylaw 4540 - Election and Voting Procedures Bylaw Amendment

K. Morley spoke to Item 6.4.

Discussion ensued on the following:

- notification and communication regarding timelines and process
- legislation versus bylaw requirements

**MOVED by Director Holman, SECONDED by Director Brice,**

**The Governance Committee recommends to the Capital Regional District Board:**

**1. That Bylaw 4540, the “Capital Regional District Election and Voting Procedures Bylaw, 2008, Amendment Bylaw No. 4, 2023” be introduced, read a first, second, and third time;**

**2. That Bylaw 4540 be adopted.**

**CARRIED**

**7. Notice(s) of Motion**

There were no notice(s) of motion.

**8. New Business**

There was no new business.

**9. Adjournment**

**MOVED by Director Coleman, SECONDED by Director Goodmanson,**

**That the February 1, 2023 Governance Committee meeting be adjourned at 10:12 am.**

**CARRIED**

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CHAIR

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RECORDER

**REPORT TO GOVERNANCE COMMITTEE  
MEETING OF WEDNESDAY, APRIL 05, 2023**

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**SUBJECT**      **Freedom of Information and Protection of Privacy Act (FOIPPA) 2022 Overview**

**ISSUE SUMMARY**

The purpose of this report is to provide an annual year-end update on the key metrics of Freedom of Information (FOI) requests received in 2022, to highlight specific legislative changes to the Act impacting privacy management and provide an overview of privacy-related activities led by the Privacy and Information Services Division in 2022.

**BACKGROUND**

The *Freedom of Information & Protection of Privacy Act* (the Act) requires all public bodies to be accountable to the public and to protect personal privacy by providing a right of access to records in the custody or control of a public body, including records containing personal information about the applicant.

***Access (FOI) Requests for 2022***

In 2022, the Capital Regional District (CRD) received 248 requests for information under the Act. Records were retrieved across all departments and are categorized under the following themes:

- **Building Inspection** (175 requests) – building and property inspection records;
- **Bylaw Enforcement** (35 requests) – animal control incidents, wildlife (feeding), properties, ticket disputes, Regional Source Control Program enforcement;
- **CRD Parks, Land, Facilities and Water** (19 requests) – Land and property acquisitions, trails creation, Gravel Pit soil samples records, Galloping Goose accident history, CRD property video surveillance footage, recreation facilities client records (SSI Parc, SeaPARC and Panorama Recreation), biosolids at Hartland Landfill, mining access, Magic Lake Estates water consumption;
- **Regional Housing** (6 requests) – tenant records, property development and occupancy;
- **Contracts and Procurement** (5 requests) – procurement process information, contract records, tender bid results;
- **Fire Incidents** (3 requests) – Fire Department incident response records;
- **Organizational and Human Resources** (3 requests) – IWS reporting structure, personnel records, employment competition records;
- **Bylaws, Zoning and Land Use** (2 requests) – Historical zoning information about SSI, JdF Land Use Committee meeting records.

Request metrics are further broken down in the Tables in Appendix A. Tables 1 and 2 outline the type of requestors and the number of requests broken down by CRD department area. The effort required to address each request varies significantly based on the scope and nature of what the applicant is looking for. Table 3 sets out the cumulative total number of pages staff reviewed and released over the year. This metric does not include other forms of processed records, including

video or data. Table 4 outlines how many requests were subject to fees, how much was issued in fee estimates compared to how much was collected in fee payments, how many of the requests involving fees were commercial applicants compared to non-commercial applicants (i.e. individuals) and how many requests were not processed as a result of fees.

**Privacy Impact Assessments (PIAs)** - In 2022, Privacy and Information Services worked on over 35 PIAs, some of which have carried over into 2023 and are still in progress. The PIAs can be categorized under the following themes:

- **New Public or Stakeholder Consultation or Education Activities** (14 PIAs) – Climate Action *Step Code* survey, native plants workshop (EventBrite registration), SSI PARC Pool Site Master Plan surveys, JdF Parks Strategic Plan engagement (CRD ‘Get Involved’ platform), Clear the FOG (fats, oils and grease education for food service establishments), CRD employment opportunities for First Nations (stakeholder interviews), Regional Water Supply Master Plan engagement (CRD ‘Get Involved’ platform), Anson Rd Dock Moorage (applications), E-mobility Awareness (contest), Origin and Destination Regional Travel Survey (targets over 7,500 residents), sustainable workplace commute planning initiative, Community Health Network survey, SSI Active Transportation engagement (CRD ‘Get Involved’ platform), and CRD Board Priorities ranking survey.
- **New or Updates to Corporate Technologies** (10 PIAs) – Microsoft Teams (update), Corporate Safety management system (new), IT project management software (new), Human Resources Information System (new), Fire Departments management system (new), SharePoint sites for project collaboration (new sites for HRIS and Extreme Heat Mapping projects), Finance receivables banking software (update), weather and stream monitoring software (new), Panorama Recreation Centre surveillance camera replacements (update).
- **New External Studies and Research** (6 PIAs) – Western Screech Owl research (songmeter acoustic recorders in Thetis Lake Park), Black Widow spiders documentary (drone filming at Island View Beach), Bat surveys in (3) Regional Parks (ultrasonic recorders), Mill Hill Post-Fire research (photo monitoring of 8 land plots), Subtidal Harbours Ecological Inventory and Rating (boat tows a submerged video camera) and update to Harbours Atlas Geospatial dataset, native plant species inventorying (iNaturalist app for community participation).
- **New or Updates to Internal Programs/Services and Employee Engagement** (5 PIAs) – Business Continuity (employees’ personal contact information), IWS employee survey, EDI vision statement survey (employee feedback), Financial Services Strategic Plan (staff survey), United Way Annual Campaign activities.

Initiatives involving a service provider or external stakeholder typically include the third party/parties in the PIA process, as there are components of the assessment which require their input, such as technical security measures in place to protect information collected and stored by the third party.

**Privacy Management Program (PMP) and Training** – The CRD has instituted mandatory FOI and privacy training for all CRD employees, which must be completed within six months of employment. In 2022, Privacy and Information Services trained a total of 94 employees, over six training sessions.

**Privacy Breach Reporting** – In 2022, Privacy and Information Services were notified of three privacy incidents which did not result in any significant harm to any affected individuals and were quickly remediated.

## **IMPLICATIONS**

### *Legislative Changes to the Act*

On November 25, 2021, changes were enacted to FOIPPA and its regulation. Of note, are the following three requirements for public bodies to:

FOIPPA Legislative Requirement	Type of Change	Legislative Reference
1. Conduct a privacy impact assessment (PIA) in accordance with the ministerial directions for public bodies that are not ministries.	Update. Previous Directions were repealed. Effective Nov. 26, 2022.	Section 69 (5.3)
2. Develop a privacy management program (PMP) in accordance with the ministerial directions.	New requirement, effective Feb. 1, 2023	Section 36.2
3. Implement mandatory privacy breach reporting	New requirement, effective Feb. 1, 2023	Section 36.3 Reg. 155/2012 s.11.1 and 11.2

### Conducting Privacy Impact Assessments (PIAs)

The update to Direction 2-21, *Ministerial Privacy Impact Assessment Directions* has increased the scope of when PIAs must be conducted by local governments. The Directions state when a PIA must or may be conducted as follows:

- “1. A head of a public body must conduct a PIA on a new initiative for which no PIA has previously been conducted.
2. A head of a public body must conduct a PIA before implementing a significant change to an existing initiative, including but not limited to a change to the location in which sensitive personal information is stored, when it is stored outside of Canada.
3. Where a head of a public body is not required to conduct a PIA by items 1-2, above, they may conduct a PIA at their discretion and in accordance with these directions.”

The Directions define an “initiative” as “an enactment, system, project, program, or activity”. This requirement to conduct PIAs in accordance with these Directions will increase the number of PIAs that must be submitted by business areas for review and completion by FOI and Privacy staff.

### Developing a Privacy Management Program (PMP)

The CRD has an existing privacy management program in place already, including a bylaw, a corporate policy, a designated FOI and Privacy Manager who is responsible for privacy-related matters and the corporate privacy management program, a documented process for completing PIAs (using PIA templates and approval procedures), a documented process for responding to



privacy breaches (using a breach report template) and mandatory privacy awareness training for all staff.

While CRD has an established privacy management program, further work is planned in 2023 and will be ongoing until all the requirements set out in the new Privacy Management Program Direction 02/22 are fully addressed.

#### Implementing Mandatory Privacy Breach Reporting

The CRD has an existing privacy breach reporting process and report template which were developed in accordance with the Office of the Information and Privacy Commissioner (OIPC) recommended tools. Further work is needed to enhance the current process in accordance with the amendments to the FOIPPA Act and Regulation.

#### *Service Delivery Implications*

The FOI and Privacy team is small and comprised of one Manager and one part-time analyst. The number of FOI requests and PIAs continues to increase year over year limiting staff's capacity to develop new policy and program requirements or respond to the legislative changes.

The increase in FOIs carries a significant administrative overhead. Administering FOI requests involves many administrative tasks and generates many associated records to manage. As each decision and task administered under FOIPPA may be subject to an OIPC review, the process and communications for each request is heavily documented and retained for recordkeeping purposes, as part of each request's file.

Although the cumulative total number of pages staff reviewed and released over the years 2020-2022 has significantly dropped, as set out in Table 3, this change resulted from increased efforts between FOI and Privacy staff and applicants to narrow down the scope of requests to specific records wherever possible. Applicants generally do not wish to incur fees, and most broad requests can be narrowed down in scope through effective consultation between FOI and Privacy staff and the business areas responding. This process is more work for FOI and Privacy staff but results in less records to produce, review, process and release, which benefits everyone involved.

The time and effort required to review and complete a PIA greatly depends on the timing, scope and complexity of the initiative, including; the type and sensitivity of the information involved, the initiative's privacy impacts and mitigation requirements, physical, technical and security measures, processes, systems and stakeholders involved. Large initiatives may require multiple PIAs to address the different components. Business areas do not have privacy subject matter expertise to complete PIAs on their own and need guidance to develop their initiatives to be privacy compliant, which the PIA process provides. Further, PIAs for initiatives involving technology also require input and review by IT & GIS. As mentioned, service providers and external parties involved in an initiative requiring a PIA often need to provide input and are apprised of the CRD's obligations under FOIPPA.

PIAs are often time sensitive for the program area submitting them for review, which is challenging for the Manager, FOI and Privacy since they have concurrent FOIs and PIAs to manage and complete, along with other responsibilities. This is resulting in PIAs which cannot be completed before an initiative is implemented, or some PIAs are not completed, though certain FOIPPA requirements, like collection notice statements on surveys, are still addressed.

The number of privacy breaches that occur annually is relatively low and generally manageable

but could be very impactful on workload should a large incident occur that involves sensitive personal information.

*Alignment with Board & Corporate Priorities*

Access to information and privacy impact assessments fall under the Board Priority and Community Need for Accountability. These activities also support open government and business systems and processes in the Corporate Plan and are important for good governance.

## **CONCLUSION**

The number of FOIs and PIAs has continued to grow in 2022. Moreover, the updated legislative requirements for conducting and completing PIAs are expected to result in significantly more initiatives which require them. While the CRD has an existing privacy management program, including privacy breach reporting, further work is planned in 2023 and will be ongoing until the new requirements are fully met.

## **RECOMMENDATION**

There is no recommendation. This report is for information only.

Submitted by:	Sharon Byrch, Manager, Information Services
Concurrence:	Kristen Morley, J.D., General Manager, Corporate Services & Corporate Officer
Concurrence:	Ted Robbins, B. Sc., C. Tech., Chief Administrative Officer

## **ATTACHMENT(S)**

Appendix A: 2022 FOI Request Metrics Tables 1 - 4

**Table 1 – Types of Requestors**

Type of Requestor	Requests by Year		
	2022	2021	2020
Individuals	134	172	108
Realtors	66	24	Not Tracked
Law Firms	23	10	16
Other Commercial/Businesses	12	12	23
Associations and Societies	2	2	6
Federal/Provincial	5	5	7
Local Governments	4	13	8
RCMP and Police	1	0	2
Media	1	1	2
<b>Total</b>	<b>248</b>	<b>239</b>	<b>172</b>

**Table 2 – Requests by Department**

Requests by Department	Requests by Year		
	2022	2021	2020
Planning and Protective Services	213	192	123
Parks and Environmental Services	12	15	15
Executive Services	6	8	3
Corporate Services	7	5	11
Finance & Technology	0	4	1
Integrated Water Services	4	4	16
Capital Regional Housing Corp / Regional Housing	6	11	3
<b>Total</b>	<b>248</b>	<b>239</b>	<b>172</b>

**Table 3 – Summary of Documentation Released**

Year	Requests	Pages Reviewed	Pages Released	Average Review	Average Release	30 Day Extension
<b>2022</b>	<b>248</b>	8,730	6,344	35	26	2
<b>2021</b>	<b>239</b>	10,771	7,679	45	32	0
<b>2020</b>	<b>172</b>	15,280	11,790	88	69	2

**Table 4 – Summary of Fee Estimates Issued and Fees Collected**

Year	Requests	Total Requests with Fees	Total Fee Estimates Issued	Total Fees Collected (Paid)	Total Commercial Requests (Paid Fees)	Total Non-Commercial Requests (Paid Fees)	Total Requests Abandoned (Not Paid)
<b>2022</b>	<b>248</b>	8	\$3002.05	\$1134.99	2	3	3
<b>2021</b>	<b>239</b>	5	\$1,042.59	\$562.59	3	1	1
<b>2020</b>	<b>172</b>	6	\$8,415.00	\$873.70	2	1	3

**REPORT TO GOVERNANCE COMMITTEE  
MEETING OF WEDNESDAY, APRIL 05, 2023**

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**SUBJECT**     **Alternative Methods for Public Notice**

**ISSUE SUMMARY**

Recent amendments to the *Community Charter* provide local governments two options for providing statutorily required public notice: (1) the default option of publication in a newspaper for two consecutive weeks; and (2) the new option of adopting a public notice bylaw specifying alternative means of publishing public notice.

**BACKGROUND**

The *Local Government Act (LGA)* and *Community Charter (Charter)* require the CRD to provide advance public notice of matters of public interest (e.g., notice of public hearings; land dispositions; board meetings reporting on regional district finances; elector approval processes; amending the Board procedure bylaw; etc.).

The minimum requirements for public notice are set out in section 94 of the *Charter*. Until recently, this required local governments to provide public notice through publication in a newspaper for two consecutive weeks (with certain exceptions).

In February 2022, amendments came in force which now provide local governments with two options regarding public notice: to continue under the default rules of publication in a newspaper (section 94.1) or to adopt and follow a public notice bylaw (section 94.2). See Appendix A for legislative provisions.

The Province's intent in making these amendments is to modernize local government public notice requirements and to provide community choice, acknowledging that the requirement to publish notice in a newspaper does not always meet community needs or the realities of modern electronic communication.

*Option 1: The Default Public Notice Requirements (s. 94.1)*

Section 94.1 contains the default publication requirements, which continue to apply unless and until the Board adopts a bylaw under section 94.2. They have not changed. Under the default requirements, unless it is impractical to do so, a notice must be published:

- (a) in a newspaper that is distributed at least weekly
  - (i) in the area affected by the subject matter of the notice, and
  - (ii) if the area affected is not in the municipality, also in the municipality, and
- (b) unless an enactment provides otherwise, once each week for 2 consecutive weeks.

As the CRD has not yet passed a public notice bylaw, the CRD currently follows section 94.1.

*Option 2: The Public Notice Bylaw (s. 94.2)*

Section 94.2 provides that a local government may, by bylaw, provide for alternative means of notice publication. The bylaw must specify at least two means of publishing notice and consider the principles set out in the *Public Notice Regulation* before adoption (Appendix B). This requires that the Board consider the proposed means of communication are reliable; suitable for providing notices; and whether they are accessible. The regulation sets out the circumstances where these requirements are met.

A local government may specify any means of publication, provided that the council or Board considers the above principles before adopting the bylaw. Examples of publication include, but are not limited to, online or print newspaper, the CRD website, an e-mail subscription service, the CRD Facebook page, and a direct mail out.

## **ALTERNATIVES**

*Alternative 1*

The Governance Committee recommends to the Capital Regional District Board:  
That staff report back through the Governance Committee on options for a public notice bylaw and policy.

*Alternative 2*

The Governance Committee recommends to the Capital Regional District Board:  
That the CRD continue with the status quo of using the default public notice method.

## **IMPLICATIONS**

### ***Implications of Alternative 1***

*Policy & Intergovernmental Implications*

As the CRD encompasses a large area with a diverse mix of rural and urban needs, finding methods of public notice that are appropriate for the entire region may be challenging. While not required, the Board could consider pairing a public notice policy with the bylaw. The bylaw would set out the types of notice that the CRD provides every time public notice is statutorily required, while the policy could specify additional means of communication, over-and-above the minimum, for providing notice to specific areas that would be particularly affected by the subject matter of the notice. This approach would tailor notice requirements within the regional district.

*Financial Implications*

The CRD spends a considerable amount of money purchasing newspaper advertisements to meet its statutory public notice requirements. For example, in the recent 2022 General Local Election, CRD spent approximately \$27,000 on statutory advertisements. Recent amendments to the LGA now require public notice every time a board amends its board procedures bylaw, which is expected to increase the frequency of notices. The financial implications of adopting a public notice bylaw will depend on the methods the Board chooses to include in the public notice bylaw, however, alternate means of public notice that do not include publication in a newspaper, could amount to considerable savings on advertising.

*Social Implications*

The current public notice provisions may be inadequate for certain communities within the CRD that do not have easy or consistent access to newspapers. Developing a public notice bylaw would require the Board to actively consider whether notice by newspaper is the most appropriate means of informing CRD residents about important matters of public interest. However, if the CRD chooses to adopt a public notice approach that does not include publication in a newspaper, this may impact the revenue of local newspapers.

*Service Delivery Implications*

The current public notice requirement of two notifications by newspaper often causes scheduling and logistical challenges. It can be challenging to track and meet the publication schedules of the various newspapers across the region while also meeting statutory deadlines.

Adopting other means of public notice would require adjustments to the CRD's internal tools and procedures. For instance, the CRD website has neither a landing page nor an e-mail subscription service dedicated to statutory public notices. If the Board wishes to make either of those options a means of publication, modifications would be necessary.

*Alignment with Board & Corporate Priorities*

The development of a public notice bylaw and policy could serve to foster greater civic participation among diverse community members (Initiative 5d). The efficacy of publishing notices in a newspaper is questionable in this era where daily readership of local print media is not as prevalent as it may have been when the public notice requirements were first enacted. With a more customized approach to public notice, the CRD could strive to reach more people across the region and cultivate greater transparency about the work of the CRD.

***Implications of Alternative 2***

The Board is not required to adopt a public notice bylaw. It can choose to continue with the default method of two publications by newspaper. By choosing the status quo, newspaper readers would continue to be apprised of matters of public notice. Local newspapers would continue to benefit from the sales of advertisement space to the CRD.

While the CRD does not have a formal public notice policy, Corporate Communications has a practice of coordinating additional communication activities (beyond the statutory public notice requirements) for initiatives that involve electoral assent or opportunities for public participation. Additional communications include media releases, social media posts, digital and print display ads, and website updates and features on the website's home page.

Choosing to continue with the default method would not preclude the Board from adopting a public notice bylaw later.

**CONCLUSION**

With recent *Community Charter* amendments, the Board can choose between continuing to provide statutory public notice through two publications in a newspaper or adopting a public notice bylaw specifying alternate means for publishing public notice. The public notice bylaw option provides the opportunity to develop a customized approach to public notice with the aim of improving the reach, accessibility, and reliability of public notice across the region. Staff are

seeking direction from the Board as to whether to report back to the Governance Committee with options for a public notice bylaw and policy.

**RECOMMENDATION**

The Governance Committee recommends to the Capital Regional District Board:  
That staff report back through the Governance Committee on options for a public notice bylaw and policy.

Submitted by:	Peter Nyhuus, J.D., Associate Legal Counsel, Legal and Risk Management
Concurrence:	Kristen Morley, J.D., General Manager, Corporate Services & Corporate Officer
Concurrence:	Ted Robbins, B. Sc., C. Tech., Chief Administrative Officer

**ATTACHMENT(S)**

Appendix A: *Community Charter*, Sections 94, 94.1, and 94.2  
Appendix B: *Public Notice Regulation*, B.C. Reg. 52/2022



**Community Charter Sections 94, 94.1 and 94.2**

**Division 4 — Public Notice and Access to Records**

**Requirements for public notice**

**94** (1) If this or another Act requires notice to be given or published in accordance with this section, the notice must be published

- (a) in accordance with section 94.1 or 94.2, as applicable, and
- (b) by posting the notice in the public notice posting places.

(2) If a matter is subject to 2 or more requirements for publication in accordance with this section, the notices may be combined so long as the requirements of all applicable provisions are met.

(3) A council may provide any additional notice respecting a matter that it considers appropriate, including by the internet or other electronic means.

**Default publication requirements**

**94.1** (1) Unless a council has adopted a bylaw under section 94.2, and subject to subsection (3) of this section, a notice must be published

- (a) in a newspaper that is distributed at least weekly
  - (i) in the area affected by the subject matter of the notice, and
  - (ii) if the area affected is not in the municipality, also in the municipality, and
- (b) unless this or another Act provides otherwise, once each week for 2 consecutive weeks.

(2) The obligation under subsection (1) may be met by publication of the notice in more than one newspaper, if this is in accordance with that subsection when the publications are considered together.

(3) If publication under subsection (1) is not practicable, the notice may be given in the areas by alternative means so long as the notice

- (a) is given within the same period as required for newspaper publication,
- (b) is given with the same frequency as required for newspaper publication,
- and
- (c) provides notice that the council considers is reasonably equivalent to that which would be provided by newspaper publication.

(4) As an exception, subsection 3 (b) does not apply in relation to an area if the alternative means is by individual distribution to the persons resident in the area.

**Bylaw to provide for alternative means of publication**

94.2 (1) A council may, by bylaw, provide for alternative means of publishing a notice instead of publishing the notice in a newspaper in accordance with section 94.1 (1) (a) and (b).

(2) A bylaw adopted under this section must specify at least 2 means of publication by which a notice is to be published, not including posting in the public notice posting places.

(3) Subject to the regulations, a council may specify, in a bylaw adopted under this section, any means of publication, so long as, before adopting the bylaw, the council considers the principles prescribed by regulation under subsection (6) (a).

(4) Section 12 does not apply in relation to a council's authority to adopt a bylaw under this section.

(5) If a bylaw is adopted under this section, the applicable notice referred to in section 94 (1) (a)

(a) must be published by the means specified in that bylaw,

(b) subject to the regulations and unless this or another Act provides otherwise, must be published at least 7 days before the date of the matter for which notice is required, and

(c) if a period is prescribed for the purpose of this paragraph and unless this or another Act provides otherwise, must be published in the prescribed period before the date of the matter for which notice is required.

(6) The minister may make regulations as follows:

(a) prescribing the principles that must be considered before adopting a bylaw under this section;

(b) prescribing one of the means of publication that must be specified in a bylaw adopted under this section;

(c) requiring that one or more of the means of publication specified in a bylaw adopted under this section be selected from the prescribed means;

(d) for the purpose of subsection (5) (b), prescribing a number of days, other than 7 days, before the date of the matter for which notice is required;

(e) for the purpose of subsection (5) (c), prescribing a period of time.

B.C. Reg. 52/2022  
M55/2022

Deposited March 1, 2022

This consolidation is current to January 24, 2023.

[Link to consolidated regulation \(PDF\)](#)

### ***Community Charter***

## **PUBLIC NOTICE REGULATION**

### **Definition**

- 1** In this regulation, "**Act**" means the [Community Charter](#).

### **Principles for effective public notice**

- 2** (1) Before adopting, under section 94.2 of the Act, a bylaw providing for alternative means of publishing a notice, a council must consider the following principles:
- (a) the means of publication should be reliable;
  - (b) the means of publication should be suitable for providing notices;
  - (c) the means of publication should be accessible.
- (2) Means of publication are reliable if
- (a) they provide factual information, and
  - (b) publication takes place at least once a month or, if the means of publication is a website, the website is updated at least once a month.
- (3) Means of publication are suitable for providing notices if
- (a) they allow all information in a notice to be displayed legibly,
  - (b) they allow a notice to be published by the required date, and
  - (c) they allow a person to consult a notice more than once during the period from the date of publication until the date of the matter for which notice is required.
- (4) Means of publication are accessible if
- (a) they are directed or made available to a diverse audience or readership, and
  - (b) they are easily found.

[Provisions relevant to the enactment of this regulation: *Community Charter*, S.B.C. 2003, c. 26, s. 94.2.]

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**REPORT TO GOVERNANCE COMMITTEE  
MEETING OF WEDNESDAY, APRIL 05, 2023**

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**SUBJECT**     **Establishment of an Accessibility Advisory Committee**

**ISSUE SUMMARY**

To approve a Terms of Reference (TOR) to establish an Accessibility Advisory Committee (AAC), consistent with the *Accessible British Columbia Act*.

**BACKGROUND**

In June 2021, the *Accessible British Columbia Act* became law and provides a framework to identify, remove, and prevent barriers to accessibility. To advise the province on matters related to accessibility and to support the development of accessibility standards, the Province of British Columbia established the Provincial Accessibility Committee. This included the creation of a forward-looking, three-year government accessibility plan, determining which other organizations the law will apply to and developing a feedback tool to ensure people throughout the province can provide input on identifying, preventing and removing barriers.

In September 2022, new regulations came into force which require local governments to establish by September 2023: (1) an accessibility committee; (2) an accessibility plan; and (3) a tool to receive feedback on accessibility. By the regulations:

- (1) Accessibility committees, to the extent possible, should have at least half of its members be persons with disabilities; represent a disability-serving organization. Membership should also reflect the diversity of British Columbians and have Indigenous representation. Committees may include members from inside or outside of the organization.
- (2) An accessibility plan should outline how the organization will identify, remove and prevent barriers to people in the organization or interacting with it. The plan must be reviewed and updated at least once every three years. In developing or updating the accessibility plan, an organization must consult with its accessibility committee and consider specified principles: inclusion; adaptability; diversity; collaboration; self-determination; and universal design. In updating the accessibility plan, an organization must also consider comments received through its public feedback mechanism.
- (3) A tool to receive feedback on accessibility will be developed and vetted through the AAC.

The attached TOR (Appendix A) has been prepared as the first step of creating an AAC. Consistent with the regulatory requirements, the key purpose of the AAC will be to:

- a) Provide recommendations on the development of an accessibility plan.
- b) Identify barriers of access to CRD services and programs for persons with disabilities in the community and recommend solutions for consideration by the CRD.

- c) Be available as a resource to CRD on matters relating to accessibility and participate in community engagement activities in an objective and unbiased manner, as needed, and avoid reflecting preferred outcomes.
- d) Collaborate and share information and best practices with other committees and organizations focused on supporting persons with disabilities.
- e) Provide input and advice to the Governance Committee on the best methods to engage the public and stakeholders.
- f) Ensure that the accessibility plan and community engagement are neutral, balanced and inclusive.
- g) Ensure that adequate information is provided to community members to enable them to provide informed feedback.
- h) Remain objective and unbiased while overseeing the process of the community education and participation.
- i) Review CRD accessibility plan every three (3) years.

The AAC will report its input to the CRD Governance Committee for consideration, with the CRD Board as the final decision-making authority. The Governance Committee will recommend AAC member appointments to the CRD Board, for up to a two-year term, and will appoint a member as the liaison between the AAC and the Governance Committee.

Recruitment of AAC members will be advertised for a minimum of 30 days in accordance with the CRD policy on Appointment of Public Members to External Boards and shortlisted by the Appointments Advisory Committee, which will in turn recommend appointments to the CRD Board.

Public members of the AAC would receive an honorarium in the amount of \$110.00 per meeting and reimbursement of any necessary travel expenses. Honoraria are not intended for members who are representatives of organizations or businesses where they are employed. AAC meetings will be held at a minimum of every two months, and in a manner which is as accessible as possible by default.

## **ALTERNATIVES**

### *Alternative 1*

The Governance Committee recommends to the Capital Regional District Board:

1. that the TOR for the Accessibility Advisory Committee (AAC) be adopted;
2. that staff be directed to proceed with recruitment of AAC members in accordance with the requirements of the CRD Appointment of Public Members to External Boards Policy;
3. that the TOR for Governance Committee be amended to include consideration of matters related to accessibility;

4. that public members of the AAC receive an honorarium in the amount of \$110.00 per meeting and reimbursement of any necessary travel expenses; and
5. that staff report back on resources required to support the AAC as part of 2024 service planning.

*Alternative 2*

That this report be referred back to staff for additional information.

**IMPLICATIONS**

Social Implications

As required of the *Accessible British Columbia Act* and Regulation, the AAC will provide the CRD with recommendations on policies, programs, services, built environments, infrastructure, and outdoor spaces that improve the livability, inclusivity, and accessibility for persons with disabilities in the capital region. The AAC must be established and have undertaken work on an accessibility plan by September 2023.

Given the legislated timelines, staff will begin working on an interim accessibility plan to ensure the plan is in place prior to September 2023, with the intention of reviewing it with the AAC once appointed. Staff anticipate the initial plan would be further developed and refined by the AAC members in accordance with the AAC's mandate and identified priorities.

Financial Implications

AAC members would receive an honorarium for their service. The CRD Board budget will be amended to account for this payment.

The establishment of this new committee will require additional staff time and other resources necessary to assist with administration of the committee meetings and implement the recommendations of the AAC. The required resources will be advanced through the 2024 service planning process and incorporated into the 2023-2027 Financial Plan.

Service Delivery Implications

Resources to lead the coordination and outcomes of the AAC will require replanning of other service requirements and will be evaluated for the 2024 service and financial planning process.

**CONCLUSION**

In September 2022, new regulations of the Province of British Columbia came into force which require local governments to establish, by September 2023, an accessibility committee, an accessibility plan and a tool to receive feedback on accessibility. Adoption of a TOR for an AAC and recruitment of committee members is the first step in meeting this new legislated requirement.

**RECOMMENDATION**

The Governance Committee recommends to the CRD Board:

1. that the TOR for the Accessibility Advisory Committee (AAC) be adopted;
2. that staff be directed to proceed with recruitment of ACC members in accordance with the requirements of the CRD Appointment of Public Members to External Boards Policy;
3. that the TOR for the Governance Committee be amended to include consideration of

- matters related to accessibility;
4. that public members of the AAC receive an honorarium in the amount of \$110.00 per meeting and reimbursement of any necessary travel expenses; and
  5. that staff report back on resources required to support the AAC as part of 2024 service planning.

Submitted by:	Chris Neilson, MBA, CPHR, Senior Manager Human Resources & Corporate Safety
Concurrence:	Steve Carey, Acting General Manager, Corporate Services & Corporate Officer
Concurrence:	Ted Robbins, B. Sc., C. Tech., Chief Administrative Officer

**ATTACHMENT(S)**

Appendix A: CRD Accessibility Advisory Committee Terms of Reference



# Terms of Reference



## CRD ACCESSIBILITY ADVISORY COMMITTEE

### PREAMBLE

The Capital Regional District (CRD) Accessibility Advisory Committee (AAC) is an advisory committee of the CRD Governance Committee created further to the *Accessible British Columbia Act*. The AAC is established to provide recommendations on improving accessibility to the Governance Committee on CRD policies, programs, services, built environments, infrastructure, and outdoor spaces that to improve the livability, inclusivity, and accessibility for persons with disabilities in the capital region.

The Committee's official name is to be:

### **Accessibility Advisory Committee**

### 1.0 PURPOSE

The Accessibility Advisory Committee will:

- a) Provide recommendations on the development of an accessibility plan.
- b) Identify barriers of access to CRD services and programs for persons with disabilities in the community and recommend solutions for consideration by the CRD.
- c) Be available as a resource to the CRD on matters relating to accessibility and participate in community engagement activities in an objective and unbiased manner, as needed, and avoid reflecting preferred outcomes.
- d) Collaborate and share information and best practices with other committees and organizations focused on supporting persons with disabilities.
- e) Provide input and advice to the Governance Committee on the best methods to engage the public and stakeholders.
- f) Ensure that the accessibility plan and community engagement are neutral, balanced and inclusive.
- g) Ensure that adequate information is provided to community members to enable them to provide informed feedback.
- h) Remain objective and unbiased while overseeing the process of community education and participation.

- i) Review CRD accessibility plan every three (3) years.

## **2.0 ESTABLISHMENT AND AUTHORITY**

- a) The Governance Committee will:
  - Recommend AAC member appointments to the CRD Board for up to a two-year term; and
  - Appoint a member as the liaison between the AAC and the Governance Committee.
- b) The AAC will appoint a Chair and a Vice-Chair on an annual basis.
- c) The AAC will report its input to the Governance Committee for consideration. The CRD Board is the final decision-making authority.

## **3.0 COMPOSITION OF VOTING MEMBERSHIP**

- a) To the extent that it is possible, members will be people from diverse backgrounds, including Indigenous peoples, no less than half of whom must either be persons with disabilities or persons representing a disability-serving organization.
- b) The AAC will be composed of at least five (5), and up to 11, members.
- c) The AAC may include both members external and internal to the CRD organization.
- d) Members will be appointed for a 2-year term (except in the first year when 3 citizen appointments will be appointed for a 1-year term to allow for staggered expiration terms).
- e) A term will equal 2 years, and members will serve no more than 3 consecutive terms (i.e. 6 years).
- f) Public members of the AAC will receive an honorarium in the amount of \$110.00 per meeting and reimbursement of any necessary travel expenses. Honoraria are not intended for members who are representatives of organizations or businesses where they are employed.
- g) AAC vacancies will be publicly posted for a minimum of 30 days and appointments will be made in accordance with the CRD Appointment of Public Members to External Boards Policy.

## **4.0 PROCEDURES**

- a) The CRD Board Procedures Bylaw will apply.
- b) The AAC shall meet at a minimum of every two (2) months at the call of the Chair and have special meetings, as required.
- c) The agenda will be finalized in consultation between staff and the Chair.

- d) A quorum is a majority of the committee membership and is required to conduct committee business.
- e) AAC meetings will be held in a manner which is as accessible as possible by default, including but not limited to: accessible meeting locations; use of accessible hybrid virtual meeting technology; provision of accessibility supports including ASL interpreters and live caption services; and other as identified by the AAC.

## **5.0 RESOURCES AND SUPPORT**

- a) The Senior Manager, Human Resources and Corporate Safety, will lead the coordination and allocation of resources to the Committee.
- b) Appropriate CRD staff and resources will be provided to assist with the activities of and support to the AAC.
- c) Minutes and agendas are prepared and distributed by the Legislative Services division.

Approved by the CRD Board on \_\_\_\_\_

**REPORT TO GOVERNANCE COMMITTEE  
MEETING OF WEDNESDAY, APRIL 05, 2023**

---

**SUBJECT**      **Administrative Policy for Intergovernmental Relations and updated Terms of Reference for the Executive Leadership Team**

**ISSUE SUMMARY**

To provide an intergovernmental relations policy to ensure a consistent and respectful approach to relations with other governments including municipalities, regional districts, First Nations' governments, as well as the provincial and federal government and their entities. In addition, an updated Terms of Reference for the Executive Leadership Team (ELT) is provided.

**BACKGROUND**

Within the legislative framework which the Capital Regional District (CRD) Board and administration of the CRD, Capital Regional Hospital District (CRHD) and Capital Region Housing Corporation (CRHC) operate, the CRD Board, its members and staff must work collaboratively to address multi-jurisdictional issues that impact the wellbeing of the region's residents.

CRD Board governance includes region-wide general government and legislated authority as well as mandated and agreed on participant based sub-regional and local service delivery responsibilities that require infrastructure, regulatory, legislative, financial, and operational support, to evolve and remain efficient and effective.

The CRD participates in a range of strategic intergovernmental relations activities in order to:

- Advise other governments of regional, sub-regional and local priorities, initiatives, and actions;
- Influence other governments' actions to better support regional priorities and objectives and to mitigate negative impacts;
- Engage with other governments including First Nations' governments to develop and maintain good constructive relationships; and
- Achieve more informed decision-making by all levels of government.

It is important that the CRD articulates a common position and speaks with one clear voice in order to effectively communicate its messages and influence other levels of government to make better, more informed decisions.

An Intergovernmental Relations Policy has been prepared (Appendix A) that guides intergovernmental relations protocols, roles, and responsibilities for CRD Board members and CRD staff.

In addition, with a commitment to transparency and accountability, the Executive Leadership Team's Terms of Reference have been updated (Appendix B) to include accountability statements for its senior executives.

## **IMPLICATIONS**

### *Intergovernmental Implications*

Building productive and effective intergovernmental relationships requires robust communication and coordination across the organization about intergovernmental relations activities and issues, and all departments and staff must work collaboratively on issues that involve the CRD's relationship with other governments.

CRD intergovernmental relations activities include the following:

- Cooperation, partnerships and communications between the region and other governments including other municipalities, regional governments, First Nations' governments, the provincial government, and the federal government to achieve mutual objectives;
- CRD policies or legislative initiatives that require or request legislative or regulatory activity and/or funding by other governments, or are matters of mutual interest with other governments;
- CRD policy or legislative initiatives that will have a significant financial or policy impact on other governments;
- Provincial and federal policy consultations, legislative processes, governance review and regulatory changes;
- Agreements with other governments; and
- Briefings to senior staff and elected officials about intergovernmental issues.

Although the policy applies to all departments and employees of the organization, specific roles and responsibilities are set out in the policy for the CRD Chair and Board, CAO, General Managers, and the Senior Manager of Corporate Communications.

### *Alignment with Existing Plans & Strategies*

The Intergovernmental Relations Policy is aligned with the CRD's Advocacy Strategy. An updated Advocacy Strategy, reflecting the CRD Board's 2023 – 2026 Priorities will be presented in the second quarter.

## **CONCLUSION**

An intergovernmental relations policy has been prepared that guides intergovernmental relations protocols, roles, and responsibilities for CRD Board members and staff.

The Executive Leadership Team's Terms of Reference has also been updated to ensure a consistent approach to relations with other governments and includes key accountabilities for the CRD's senior executives.

**RECOMMENDATION**

There is no recommendation. This report is for information only.

Submitted by:	Ted Robbins, B. Sc., C. Tech., Chief Administrative Officer
Concurrence:	Steve Carey, Acting Corporate Officer & General Manager, Corporate Services

**ATTACHMENT(S)**

Appendix A: Intergovernmental Relations Policy

Appendix B: Executive Leadership Team – Terms of Reference



Making a difference...together

## CAPITAL REGIONAL DISTRICT CORPORATE POLICY

Policy Type	Administrative		
Section			
Title	INTERGOVERNMENTAL RELATIONS POLICY		
Adopted Date		Policy Number	ADM93
Last Amended			
Policy Owner	Executive Services (CAO Office)		

### 1. POLICY:

The Capital Regional District (CRD) will protect and advance the political, economic, environmental, social and cultural interests of the people in the capital region by pursuing and fostering intergovernmental relations with other governments including other municipalities, regional governments, First Nations' governments, and the provincial and federal government in a strategic manner.

The CRD is involved in a range of strategic intergovernmental relations activities in order to:

- Advise other governments of regional, sub-regional and local priorities, initiatives, and actions;
- Influence other governments' actions to better support regional priorities and objectives and to mitigate negative impacts;
- Engage with other governments including First Nations' governments to develop and maintain good constructive relationships; and
- Achieve more informed decision-making by all levels of government.

It is important that the CRD articulates a common position and speaks with one clear voice in order to effectively communicate its messages and influence other levels of government to make better, more informed decisions.

Where beneficial to the interests of the capital region, the CRD may negotiate and enter into formal written agreements and arrangements with other governments.

### 2. PURPOSE:

The Intergovernmental Relations policy will ensure a consistent and respectful approach to relations with other governments including municipalities, regional districts, First Nations' governments, as well as the provincial and federal government and their entities. This will be done by establishing the protocols and procedures required to interact and work together on multi-jurisdictional issues of mutual concern to promote cooperation, collaboration and communication between the region and other governments to ensure that CRD services are delivered efficiently and effectively to the region's residents.

### 3. SCOPE:

This policy applies to all departments and employees of the CRD.

#### 4. **AUTHORITY AND ACCOUNTABILITY:**

##### 1. General

This policy is issued under the authority of the Chief Administrative Officer (CAO). The authority to make exceptions and approve revisions to this policy rests with the CAO. Authority and accountability are further defined as follows:

- a. the CAO is accountable to the CRD Board for the implementation of this policy.
- b. the Executive Leadership Team (ELT) is responsible for the administration of the policy.

##### 2. Specific

The CRD Chair and Board:

- a. the CRD Chair is the lead on the regional intergovernmental relations and issues with other governments. The Chair may designate others to communicate certain intergovernmental issues.
- b. represent the region with other levels of government through direct communication and participation on committees and local municipalities.
- c. will review recommendations and will make decisions to set the overall direction of intergovernmental relations positions, strategy, goals and plans.
- d. may authorize CRD staff to enter into, renew or amend intergovernmental agreements.

##### 3. The CAO:

- a. will approve guidelines, policies and procedures concerning intergovernmental relations.
- b. supports the CRD Board Chair and Board on the region's strategic intergovernmental relationships and initiatives and ensures coordination across all departments of the organization.
- c. provides direction and supervision to staff undertaking intergovernmental and external relations and protocol work and provides updates on the region's intergovernmental initiatives at ELT meetings.
- d. will provide quarterly reports to the CRD Board on significant intergovernmental relations activities.

##### 4. The General Managers:

- a. may make recommendations to the CRD Board with CAO concurrence, for the overall direction of the CRD intergovernmental relations positions, strategy, goals and plans.
- b. will oversee the conduct of complex and high-profile intergovernmental projects and files under the department's responsibility including coordination of content and communications from departmental staff and external resources assigned to support these projects or files.
- c. are responsible for communicating with staff of other governments on a regular basis as part of their divisional responsibilities, as well as lead and participate in consultations with other governments as part of the policy development process.
- d. and their staff are also responsible for supporting the CRD Board Chair, CRD Board and CAO in communicating the region's positions on initiatives of other governments and identifying opportunities to further the region's agenda with other levels of government.
- e. will report to the CAO on significant intergovernmental relations activities within their departments.
- f. will maintain an inventory of intergovernmental agreements approved by the CRD Board.

##### 5. The Senior Manager of Corporate Communications:

- a. is the main point of contact with external government agencies regarding external communications activities.



6. All CRD Employees:
- a. will ensure that they advise their Senior Manager or General Manager about any intergovernmental relations activities within their divisions and areas of work.

**7. AMENDMENT(S):**

Adoption Date	Description:
	Initial adoption date.

**8. REVIEW(S):**

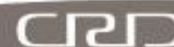
Review Date	Description:
Three years from adoption	

**9. RELATED POLICY, PROCEDURE OR GUIDELINE:**

CRD Advocacy Strategy

ADM 18, Media Relations Policy

# Terms of Reference



## Executive Leadership Team (ELT) Terms of Reference

### PREAMBLE

The Capital Regional District's Executive Leadership Team (ELT) consists of the Chief Administrative Officer (CAO), Chief Financial Officer (CFO), Corporate Officer and the General Managers (GMs) who are all Officers of the Corporation. These Officers direct the departments and divisions across the Corporation and work collaboratively to:

- Consider strategic issues related to the organization.
- Discuss solutions to organizational challenges;
- Make decisions effectively on behalf of the organization and in the interests of the CRD Board;
- Provide direction on corporate-wide policies, systems, projects, and initiatives; and
- Ensure our employees are supported and empowered to achieve organizational goals.

The success of the organization is measured by how well the entire organization performs in effectively and efficiently delivering services to the residents of the region and in its' ability to advance Board and Corporate priorities within an approved Board budget. It is a key responsibility of ELT to ensure that the actions, directions, and policies of management are aligned to achieve these objectives and to strengthen our foundational core and ensure that we have an engaged workforce that is valued and supported.

### 1.0 PURPOSE

The CAO and members of the ELT have administrative responsibility and delegated authority for strategic leadership of the organization. The group meets to ensure a good understanding and consideration of the issues that extend beyond department and divisional operating mandates and that directs implementation of strategic direction, policies, systems, and processes that support overarching corporate goals. Decisions are made in the best interests of the organization as a whole.

### 2.0 AUTHORITY AND KEY ACCOUNTABILITIES

Members of the ELT work directly with elected officials, the Board and key stakeholders who are crucial to the operation, reputation and success of the CRD. The Board must rely on corporate controls and culture that reinforce the highest standards of governance and accountability. The ELT is responsible for managing matters that concern the Board and the organization as a whole, including leadership, culture, strategic direction, governance, organizational compliance with statutory and legal obligations and policies, corporate strategy, the management of the relationships with the Board, Committees/Commissions, risk management, staffing and organizational capacity, CRD infrastructure and financial resources. The ELT members' authority and key accountabilities is further defined as follows:

- a) provide strong leadership, driving employee engagement and organizational culture aligned with the cultural traits and values of the CRD;
- b) the General Managers and/or CAO will oversee the conduct of complex and high-profile intergovernmental projects and files under their department's responsibility including coordination of content and communications from Departmental staff and external resources assigned to support these projects or files, ensuring the CRD's interests and views are appropriately conveyed and actively pursued;
- c) allocate and commission work requested by the Board, its Committees/Commissions, and the CAO, and assigned to their department, to the appropriate departmental staff resource considering the nature, complexity and corporate profile of the assignment;
- d) ensure, with the CAO, that open and constructive working relationships are established and maintained with key stakeholders and regulatory agencies;
- e) monitor and escalate any Departmental matter to the CAO and Board that could be considered high risk, contentious, financially significant, or potentially reputationally damaging;
- f) provide accurate and timely information, advice and recommendations to the CAO, Board, and Committees/Commissions;
- g) adhere to standards of personal, professional and ethical behaviour, as outlined in the CRD General Standards of Conduct policy;
- h) participate in Board, Committee/Commission, departmental and divisional meetings to ensure agenda items and discussions align with CRD's Board and organizational visions, Board and corporate strategic direction, and operating requirements, and that meetings provide an environment that support constructive discussion and debate; and
- i) oversee departmental, divisional, service and program operations and budgets under their department's responsibility.

### **3.0 PROCEDURES**

#### **ELT Meeting Agendas**

The agenda is approved by the CAO as prepared and circulated by the Manager of Executive Administration. Agendas, detailed minutes, and action item list are prepared and distributed by the Manager, Executive Administration. The agenda for the regular business meeting will typically include the following items:

- Approval of minutes
- Safety Moment
- CAO and GM updates
- ELT business
- Corporate reports
- Policy review

Items for the agenda are to be received by 12 noon on the Monday before the meeting and the final agenda will be distributed by 4:30 p.m. that day; late items or supporting documents will be redirected to the next ELT agenda with available space, or a decision can be made by ELT to accept urgent items requiring action that are not received within the timeline.

### **ELT Meeting Schedule**

ELT will typically meet:

Weekly to review Board, Standing Committee, and select Commission Agendas:

- a) to ensure progress on projects, initiatives and programs and regular reporting to the Board; and
- b) Identify issues requiring communication or formal release to the media in conjunction with Board and Committee decision making.

Twice monthly to conduct regular business including the following standing items:

- a) To consider organizational interests including corporate risks and safety, corporate strategy, and emergent issues at the call of the CAO.
- b) To consider items submitted for review and decision by ELT members;
- c) To assess alignment of Board and corporate priorities and corporate actions through a review of Board decisions; and
- d) To consider and review corporate policies and procedures.

Periodically to review the following reports and information:

- Annual Report
- Financial Statements and Financial Variance Reports (quarterly written and presented Variance Reports)
- Climate Action
- Service Planning and Initiative Business Cases
- Financial Plan (provisional and annual)
- Legal/Risk Update (quarterly written report and annual presentation)
- Contracts Update (quarterly written report and annual presentation)
- Freedom of information requests (annual written report and presentation)
- CRD Internal Events and Activities (annual written report and presentation)
- Strategic Planning (annual written report and presentation prior to annual Board check-in)
- Information Technology IT Strategy (quarterly written report and annual presentation)
- Human Resources and Corporate Safety CAO Quarterly & HR Strategy (quarterly written report and annual presentation)
- Corporate Communications Strategy (quarterly written report and annual presentation)

As necessary to participate on other organizational committees.

### **ELT Meeting Procedures**

The ELT meetings that occur twice monthly will normally be scheduled in two parts. The first part of the meeting will be scheduled with ELT only to discuss confidential matters and will be supported by the CAO. Reportable information, decisions and actions arising from this part of the meeting will be provided to the Manager, Executive Administration by the CAO for recording. The

second part of the meeting will be supported by the Manager, Executive Administration, who will schedule the meetings to include staff who are supporting agenda items for decision. Generally, all reports for ELT information or decision will be prepared and presented using the staff report templates (attached), presenting background, alternatives, implications, and a recommendation to address the issue and exceptions will be agreed to between the GMs and the CAO.

### **Reporting**

The Manager, Executive Administration working with the Senior Manager, Corporate Communications will ensure key organizational decisions are communicated to staff on CRD Central. A monthly ELT Brief will be made available to exempt staff on the ELT SharePoint site.

Policy decisions or changes to policies will be reviewed in accordance with the CRD Policy Management Framework and will be posted on CRD Central.

ELT strategies will be communicated by the CAO at Managers' Meetings and on CRD Central.

*Updated: March 31, 2023*