

# ***CITY OF CHARLOTTETOWN POLICY***

## **Public Appointment Policy**

***Policy Number:*** P-ADMIN-02

***Originating Department:*** Administration

***Approved By:*** Council

***Date of Approval:*** February 11, 2019

***Amended:*** January 30, 2023

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Purpose: To provide guidelines for the development of Advisory Boards and appointing public members in an equitable, accountable and transparent manner.

### **1.0 Advisory Boards – General**

- 1.1 The City of Charlottetown is committed to community engagement, and, through this policy, will recruit Advisory Board members who will provide high calibre direction and advice as members of Advisory Boards. Advisory Boards are any sub-committees of the Council Standing Committees. Task forces formed for specific projects that fall outside of the terms of reference for the Standing Committees are not considered Advisory Boards.

This policy provides a guide for Council to ensure that the public appointment process is principle-based while ensuring the most suitable candidates are selected and appointed as Board members.

The appointment of citizen members to serve on Boards is important to the City in order to:

- Provide a variety of perspectives, reflecting the diversity of the community;
- Represent stakeholder groups;
- Bring specific skills and expertise that contribute to contribute to good governance; and,
- Represent specific groups of service users.

### **2.0 Scope of Policy**

- 2.1 This policy applies to all appointments of citizens to Advisory Boards under the City of Charlottetown Corporation.

### **3.0 Establishing a New Advisory Board**

- 3.1 Standing Committees within the City of Charlottetown can determine the need to establish an Advisory Board. Advisory Boards shall report to a Standing Committee. Each Advisory Board is required to have its own terms of reference, as approved by Council. Standing Committees within the City of Charlottetown can determine the need to establish an Advisory Board. The recommendation, with a terms of reference for the proposed Advisory Board, is then forwarded to Council.

#### **4.0 Selection**

- 4.1 The City of Charlottetown recognizes that the needs of the City and its partners are best met when candidates are appointed to Boards they are passionate about and have skills they can bring to the table. Council shall look for qualifications in each candidate that are relevant to the responsibilities of the individual Board and make appointments that ensure the Board members collectively cover the range of skills and experience required to fulfil the mandate of the Advisory Board. The City of Charlottetown believes in equal opportunity and is proud to be an inclusive workplace. This applies to the City's Advisory Boards and all persons living or working in the City are welcome to apply to serve on one of the Advisory Boards.

#### **5.0 Eligibility and Qualifications**

- 5.1 Applicants must be residents or property owners in the City of Charlottetown, with the exception of individuals who work in the City of Charlottetown and have expertise specifically required for a Board to meet its mandate;
- 5.2 Applicants must be at least 18 years of age; and
- 5.3 To remain an active member, appointees are required to maintain their eligibility and qualifications throughout their term.

#### **6.0 Restrictions**

- 6.1 Relatives of Members of Council

Relatives of Members of Council – as defined by spouse, common law spouse, child, parent, sister or brother – are not eligible for appointments to Boards and committees.

- 6.2 Restriction for Staff

Staff of the City of Charlottetown are not eligible to apply to serve as a member of an Advisory Board and may only serve on the Board as a staff resource person if so, appointed by Administration.

- 6.3 Former Members of Council

Former members of Council, who served on Council in the immediately preceding term, are not eligible for appointment to the City's Advisory Boards.

#### **7.0 Multiple Appointments**

- 7.1 To encourage the broadest degree of citizen involvement, no citizen shall serve concurrently on more than one (1) Board except;
- A member of the Planning or Heritage Board may also serve on the Design Review Board.

## **8.0 Board Specific Eligibility Requirements**

- 8.1 Specific eligibility requirements shall be included in the terms of reference for each Advisory Board.

## **9.0 Length of Service**

### **9.1 Terms**

A set term will be established for each Advisory Board and outlined in the terms of reference for each Board. In general, the term will be for two (2) years. After the initial two-year period, Council has the right to perform a review. The term of all Advisory Boards ends with the end of the term of Council. Despite the term of appointment, all participants are appointed under the direction of Council and Council retains the right to replace any appointed member, at any time, and for any reason, unless legislation provides otherwise.

### **9.2 Limits**

Incumbents who are eligible and willing to seek reappointment may apply for a subsequent term. However, recognizing the importance of engaging as many residents as possible, a limit has been set on length of service. The limit on length of service for any citizen is a maximum of four (4) consecutive terms of two (2) years, for a limit of eight (8) consecutive years, on the same Board.

## **10.0 Vacancies**

- 10.1 A vacancy on the Board is created when a member resigns or vacates the position for any reason, effective the earliest of:

- a) The date of resignation;
- b) The date the member ceases to be qualified;
- c) The date the member is removed by Council;
- d) The date of death or other incapacitation.

- 10.2 When a vacancy occurs prior to the end of the term, candidates will be selected by the Mayor to fill the vacancy from the list of eligible candidates from the applicant pool if the most recent call for applications was issued within 12 months. If none of these methods result in identification of a qualified nominee, the Mayor may recommend to Council that additional recruitment efforts be undertaken.

- 10.3 When a vacancy occurs, it is the responsibility of the Advisory Board to notify the Office of the Mayor that there is a vacancy, which will initiate the process of filling the vacancy.

## **11.0 Recruitment**

- 11.1 Generally, the public appointments process will begin immediately after the municipal election to allow the Mayor to consider potential applications and make a recommendation to Council as soon as possible in the new term.

## **12.0 Recruitment Method**

The type of qualifications sought for citizen members will determine the recruitment method. Recruitment for any Board may use one or more of the methods set out below: Advertised Recruitment or Interest Group Nominations.

All citizen members who are appointed, regardless of recruitment method used, shall be eligible for appointment pursuant to Section 2 of this policy and shall maintain their eligibility throughout the term of their appointment unless otherwise determined by Council.

### **12.1 Advertised Recruitment**

The advertised recruitment process is the standard process used by the City to invite the public at large to apply for available Advisory Board positions. This is done through local or City-wide media advertising or other public posting including: social media and the City's website. The Communications Department will advertise the vacancies with the details of the Advisory Board provided by the Office of the Mayor.

### **12.2 Interest Group Nomination**

Where Council wishes to represent the interest of stakeholder groups on a Board or to obtain special expertise, such as from a professional or technical organization, the composition of the Board may include one or more positions designated for nomination by specific interest groups.

In that case, the designated interest group, stakeholder group, organized service user group, funding partner, labour representative or professional technical organization is able to nominate members for review by the Mayor and approval by Council. This requires that Council rely on the ability of the interest group to nominate appropriate and effective representatives.

## **13.0 Information Sessions**

- 13.1 In addition to the advance outreach initiatives, City staff may conduct advertised public information sessions at the start of the advertised recruitment process to provide more information on the mandate of the Advisory Boards.
- 13.2 Applicant attendance at an information session is not mandatory. Applicants are expected to obtain the information they need in order to meet the submission deadline and other application requirements.

## **14.0 Application Process**

14.1 Applicants are encouraged to submit applications through the electronic application process on the City website. Hardcopy application forms may be obtained by request at the reception desk at City Hall (199 Queen Street). Incumbents who are eligible and wish to seek reappointment must reapply in the same manner as other applicants. Specifics of application requirements will be available when the recruitment is announced.

### 14.2 Multiple Applications

Applicants may apply for more than one Board and should express their priority of choice on the application form.

## **15.0 Potential Conflict of Interest**

15.1 Applicants should consider whether they have a real or perceived conflict of interest in serving on an Advisory Board. As part of the appointment process, applicants must identify and disclose any actual or potential conflicts of interest they may have.

Potential conflicts of interest may include, but are not limited to, applicants or their spouses, partners, children or parents, employers or business partners:

- Currently doing business or seeking to do business with, or working as a consultant, for the partners, agencies or stakeholders connected to the Advisory Board, or the City;
- Serving as a lobbyist during the current or previous term of Council on issues affecting the agency or corporation.

Other potential conflicts could include applicants having:

- Any interest, direct or indirect, in outstanding litigation or applications involving the City corporation; or
- Any arrears of money owed to the City Corporation though such things as outstanding Utility bills and overdue fines.

15.2 Disclosure of potential or perceived conflicts does not automatically make an applicant ineligible for an appointment. However, the nominating panel is required to assess any potential or perceived conflicts before determining whether an applicant should be considered further.

## **16.0 Confidentiality of Applications**

16.1 The Mayor and designated City staff as appointed by the CAO who are providing support in the selection process shall be provided with copies of the applications. However, other Council members, who will be voting when a recommendation is

made by the Mayor, may request to see the summary of applications and qualifications prepared by Human Resources for the Mayor.

- 16.2 Council members and the Mayor may not copy, disclose, or otherwise disseminate information contained in any confidential lists of applications, or in any confidential applications, or other information received in private sessions, nor may they repeat any confidential information heard at those meetings.

### **17.0 Selection**

- 17.1 Applications will be received and vetted by staff in Human Resources to ensure overall eligibility for the Advisory Boards. The applications will be received by the Mayor, who will make a recommendation to Council.

### **18.0 Council Members – Potential Conflicts of Interest**

- 18.1 Council members who have a conflict of interest or who perceive a conflict of interest with respect to an applicant for a Board appointment, must declare the conflict and abstain from debating and voting at any meeting where the application is being discussed. A business relationship between a Council member and an applicant should also preclude the Council member from participating in the appointment process.

### **19.0 Resolution of Appointment**

- 19.1 The Mayor will bring forward a resolution to Council for appointments to the Advisory Boards.

### **20.0 Administration**

- 20.1 Remuneration of Advisory Board Members

Citizens selected to serve as a member of an Advisory Board will receive a stipend as a token of appreciation for their time and commitment to the Advisory Board on which they serve, provided they meet the requirements for attendance (see Section 20.2).

The stipend amount, if applicable, will be determined as per the City's Committee Resident Member Stipend Policy,

Remunerations are paid out the month following that of which the meeting took place.

Only Advisory Board members that are in attendance during the full length of the meeting will receive their stipend.

- 20.2 Attendance

Advisory Board members will receive a schedule of meetings, which typically

will be held once per month. Members are expected to attend each meeting and fully participate in, and contribute to, the work of the Board.

Advisory Board members will not receive remuneration for any missed meetings, whether excused or unexcused.

If a member is absent for three (3) consecutive meetings, or 35% of meetings within a calendar year, whether excused or unexcused, the Board Chairperson shall notify and discuss the situation with the Mayor, who will make a recommendation to Council.