



COUNCIL REPORT

Establishment of a Policy Review Advisory Committee

Electoral Division: All

File: N/A

Date:	October 8, 2024
Presenter:	Micah Nakonechny, Legislative Officer
Department:	Legislative Services

REPORT SUMMARY

The purpose of this report is to recommend that Council establish a Policy Review Advisory Committee to review Council policies prior to the adoption, amendment, or repeal of Council policies.

At the Council meeting held on July 23, 2024, Council directed Administration to evaluate options to re-establish a Policy Review Committee to provide feedback on Council policies prior to a final decision by Council. After weighing a variety of legislative and operational considerations and presenting options to the Governance Committee on September 17, 2024, Administration is recommending that a Policy Review Advisory Committee be established by Council and accompanying Terms of Reference be approved, as presented in Attachment A.

ADMINISTRATION’S RECOMMENDATION

THAT Council approve the Policy Review Advisory Committee Terms of Reference, as presented in Attachment A.

THAT Council approve the amendments to the Governance Committee Terms of Reference by deleting section 1(2) providing guidance on Council policy and appropriately numbering, as presented in Attachment C.

BACKGROUND

Sections 153 and 201 of the *Municipal Government Act* (the MGA) stipulate that Council is responsible for developing and evaluating the policies and programs of Rocky View County. A robust, well-functioning policy framework is a crucial component of good governance and accountability to County residents. Policies communicate values and expectations for the County’s actions, document and implement best practices, promote fairness and transparency, and help to make decisions that are consistent, uniform, and predictable. When functioning properly, the County’s policies serve to uphold and strengthen its reputation in the eyes of the public, community stakeholders, and other governments.

The previous Policy Review Subcommittee, created in 2018, reported to the former Governance & Priorities Committee (GPC) which had the delegated authority to directly adopt, amend, or repeal Council policies. However, GPC was succeeded by the Governance Committee, which has only been delegated the authority to review, but not decide on, Council policies and provide direction to Administration. Any decisions on Council policies would still need to be referred to Council for a final decision.

At the Council meeting held on May 28, 2024, Council adopted amendments to *Policy on Council Policies C-700* which removed the formal delegation of its policymaking authority to a committee of Council, such that Council retains the sole authority to adopt, amend, and repeal Council policies.



Establishment of a Policy Review Advisory Committee

While the former Policy & Priorities Committee and Governance & Priorities Committee were delegated the authority to make decisions on Council policies, their successor, the Governance Committee, instead provides guidance on Council policies.

On June 18, 2024, the Governance Committee (GC) resolved to receive an update on the County’s corporate policy program for information. The report provided information on the history of the program, while highlighting some of the challenges and opportunities identified by Administration as it has matured in the face of organizational and political changes. This discussion prompted a notice of motion introduced at the June 25, 2024 Council meeting regarding direction to Administration to explore re-establishing a Policy Review Committee and at the July 23, 2024 Council meeting, the notice of motion was considered resulting in Council resolving:

THAT Administration be directed to evaluate the potential for re-establishing a Policy Review Committee and report back with their findings and recommendations no later than the October 8, 2024 Council meeting.

On September 17, 2024, GC resolved to receive a [report](#) and presentation outlining potential options for establishing a body to review Council policies and seeking further feedback prior to a final report with findings and recommendations for Council’s consideration.

ANALYSIS

Council has expressed its desire to delegate appointed members the opportunity to offer feedback to Administration on Council policies prior to their consideration and adoption by Council as a whole. Currently the Governance Committee fulfills this mandate as part of its terms of reference. Subsection 1(2) states that “providing guidance on Council policies” is one of the governance responsibilities for which Council has delegated responsibility to GC.

In addition to the legislative and operational considerations addressed previously, Administration has considered the Governance Committee’s feedback and is recommending that a Policy Review Advisory Committee be established by Council. Administration has determined that this option is the most effective and efficient means of facilitating Council’s involvement in the Council policy review process prior to a final decision from Council.

During the discussion which occurred at GC on September 17, 2024, it was noted that some flexibility should be considered with respect to the date, timing, and location of meetings of any policy review body that is established. This has been reflected in the attached Terms of Reference (Attachment A), such that meetings do not necessarily occur immediately following the Governance Committee, and an option to hold virtual meetings at the Committee Chair’s discretion has been included. A redlined version of these amendments is included as Attachment B. Further, members of GC expressed interest at creating an informal advisory body in lieu of a standing committee of Council, such that if the informal advisory body does not adequately deliver its mandate, Council would have the discretion to establish a more formal Policy Review Committee if desired.

Since the review of Council policies currently falls under the purview of the Governance Committee, Administration additionally recommends amending GC’s Terms of Reference to remove this governance responsibility from its mandate. This will help reinforce and clarify the role of the Policy Review Advisory Committee.



Establishment of a Policy Review Advisory Committee

Purpose and scope of the proposed Policy Review Advisory Committee

The proposed Committee's sole purpose would be to provide a Council perspective in the peer review process of Council policies. This includes offering feedback on new and existing Council policies for Council's consideration in amending, adopting, or repealing. An important element in the County's policy review process, this may support Council policies in remaining consistent with Council priorities and strategic objectives, while also facilitating a more informal discussion between elected officials and Administration prior to a final decision by Council.

The Committee's function would be solely to review policies and offer general feedback to Administration. No direction or formal recommendations would be provided to Administration, as this authority resides with Council. As per sections 201(2) and 207 of the MGA, the Chief Administrative Officer remains responsible for ensuring the County's programs and policies are implemented. This includes the coordination of the review schedule of Council policies; therefore, the schedule for reviewing Council policies would be outside the purview of the Committee.

Benefits of a Policy Review Advisory Committee include:

- expediting Council policy decisions at Council meetings, since an informal discussion forum was provided at the committee level. However, Administration wishes to emphasize that Council retains the discretion to debate and make further amendments to policies after they are reviewed by the committee;
- the Committee would be excluded from the County's *Procedure Bylaw*, which adds flexibility to both Administration and committee members with respect to coordinating the Committee's review of Council policies, and minimizes demands on Administrative resources;
- meetings would be conveniently scheduled following Governance Committee meetings to minimize travel time and staff resources; and
- familiarity of committee members with the governance framework.

Potential disadvantages of this option include:

- additional administrative and staff resources would need to be dedicated to the coordination of an additional committee;
- members of Administration, including executives, managers, subject matter experts, and other staff relevant to a given Council policy may need to attend up to two distinct meetings;
- meetings would still need to be scheduled based on the availability of Administration and committee members; and
- since the committee would not be comprised of all members of Council, some Councillors would not get the opportunity to provide feedback on a Council policy until it is presented to Council for a final decision.

A Terms of Reference for the proposed Policy Review Advisory Committee is included as Attachment A to this report.

Establishment of a Policy Review Advisory Committee

COMMUNICATIONS / ENGAGEMENT

No communication or engagement is required.

IMPLICATIONS

Financial

Additional administrative resources may be required to support meetings of the Policy Review Advisory Committee.

Political

The County may be subject to significant reputational and/or legal risk should Council policies not be developed and implemented or reviewed/maintained in an appropriate and timely manner.

STRATEGIC ALIGNMENT

Section 153(b) of the *Municipal Government Act* requires that Councils develop and evaluate policies and programs of the municipality, and section 201(1) states that a municipal council is responsible for developing and evaluating the policies and programs of the municipality.

ALTERNATE DIRECTION

Alternate Direction 1

THAT Council direct Administration to prepare a new Terms of Reference establishing a Policy Review Committee as a formal, standing committee of Council and report back to Council by November 12.

This option would see a Policy Review Committee established as a formal standing committee of Council alongside committees such as the Governance Committee and the Recreation Governance Committee in which the *Procedure Bylaw* would govern its operations.

Benefits

- Enables more members to be appointed, generating more discussion and varying perspectives earlier in the policy review process

Disadvantages

- Administration would need to revise the Terms of Reference included as Attachment A to reflect the requirements of a formal standing committee
- More administrative and Council resources needed to hold meetings in accordance with the *Procedure Bylaw*

Alternate Direction 2

THAT the Governance Committee remain the primary forum to provide guidance on Council policies.

Benefits

- No significant additional resources required
- As membership is comprised of Council, all members of Council would have an opportunity to provide their perspectives during the policy review process

Establishment of a Policy Review Advisory Committee

- No additional Terms of Reference, nor amendment to the Governance Committee’s Terms of Reference would be required

Disadvantages

- Less time dedicated to reviewing individual Council policies

ATTACHMENTS

- Attachment A: Policy Review Advisory Committee Terms of Reference
- Attachment B: Policy Review Advisory Committee Terms of Reference (redlined version)
- Attachment C: Draft Governance Committee Terms of Reference as amended (redlined version)

APPROVALS

Manager:	N/A
Executive Director/Director:	Gina van den Burg
Chief Administrative Officer:	Byron Riemann