



P.O. Box 1749  
Halifax, Nova Scotia  
B3J 3A5 Canada

**Item No. 15.4.1**  
**Halifax Regional Council**  
**August 22, 2023**

**TO:** Members of Halifax Regional Council

**SUBMITTED BY:** Original Signed  
\_\_\_\_\_  
Mayor Mike Savage, Chair, Executive Standing Committee

**DATE:** June 26, 2023

**SUBJECT:** **Proposed Administrative Order 2023-001-GOV – Respecting Public Appointments to Committees of Council and External Boards**

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**ORIGIN**

June 26, 2023 meeting of Executive Standing Committee, Item 12.1.1.

**LEGISLATIVE AUTHORITY**

Legislative Authority is outlined in the attached staff report dated June 20, 2023.

Executive Standing Committee – Terms of Reference

Purpose

1. The purpose of the Executive Standing Committee is to fulfil the self-governance functions of the Council including:
  - a. Emergency Management,
  - b. Acting as nominating committee for Boards and Committees,

**RECOMMENDATION**

The Executive Standing Committee recommends that Halifax Regional Council adopt Proposed Administrative Order 2023-001-GOV – Respecting Public Appointments to Committees of Council and External Boards as set out at Attachment 1, which includes the repeal of the 2011 Public Appointment Policy.

## **BACKGROUND**

Executive Standing Committee received a staff recommendation report dated June 20, 2023 to consider Proposed Administrative Order 2023-001-GOV – Respecting Public Appointments to Committees of Council and External Boards.

For further information refer to the attached staff report dated June 20, 2023.

## **DISCUSSION**

Executive Standing Committee considered the staff report dated June 20, 2023 and approved the recommendation to Halifax Regional Council as outlined in this report.

## **FINANCIAL IMPLICATIONS**

Financial implications are outlined in the attached staff report dated June 20, 2023.

## **RISK CONSIDERATION**

Risk consideration is outlined in the attached staff report dated June 20, 2023.

## **COMMUNITY ENGAGEMENT**

Meetings of the Executive Standing Committee are open to public attendance and members of the public are invited to address the Standing Committee for up to five (5) minutes during the Public Participation portion of the meeting. Meetings are live webcast on Halifax.ca. The agenda, reports, video, and minutes of the Standing Committee are posted on Halifax.ca.

For further information on Community Engagement refer to the attached staff report dated June 20, 2023.

## **ENVIRONMENTAL IMPLICATIONS**

Environmental implications are outlined in the staff report dated June 20, 2023.

## **ALTERNATIVES**

Alternatives are outlined in the attached staff report dated June 20, 2023.

## **ATTACHMENTS**

Attachment 1 – Staff recommendation report dated June 20, 2023.

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A copy of this report can be obtained online at [halifax.ca](http://halifax.ca) or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by:      Catie Campbell, Legislative Assistant, Municipal Clerk's Office 782-641-0796

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P.O. Box 1749  
Halifax, Nova Scotia  
B3J 3A5 Canada

**Item No. 12.1.1**  
**Executive Standing Committee**  
**June 26, 2023**

**TO:** Chair and Members of Executive Standing Committee

**SUBMITTED BY:**



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Cathie O'Toole, Chief Administrative Officer

**DATE:** June 20, 2023

**SUBJECT:** **Proposed Administrative Order 2023-001-GOV – Respecting Public Appointments to Committees of Council and External Boards**

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**ORIGIN**

Staff-initiated review of the public appointment process.

**LEGISLATIVE AUTHORITY**

*Halifax Regional Municipality Charter, 2008, c. 39,*

21 (3) The Council may appoint persons who are not members of the Council to a committee and may establish a procedure for doing so.

**RECOMMENDATION**

It is recommended that the Executive Standing Committee recommend that Halifax Regional Council adopt Proposed Administrative Order 2023-001-GOV – Respecting Public Appointments to Committees of Council and External Boards as set out at Attachment 1, which includes the repeal of the 2011 Public Appointment Policy.

## **BACKGROUND**

The Public Appointment Policy was established in 2011 to standardize appointments to Boards, Committees, and Commissions, including the newly formed Standing Committees. While some revisions have been performed since its adoption the policy has remained substantively unchanged from 2011.

In response to feedback from internal and external stakeholders, a review of the Public Appointment Policy was initiated in 2018 and was completed in early 2020 by the Municipal Clerk's Office. The review included formation of a multi-departmental staff review board, consultation with board and committee members via a survey, interviews with six members of Council, a public survey with 455 responses, a special consultation with the Youth Advisory Committee members and a jurisdictional scan.

The staff review board was in the final stages of incorporating results and finalizing a draft of a new proposed Administrative Order in early 2020 when the pandemic began and work on this project was paused due to other operational priorities.

In early 2023, staff were able to review the work done and felt the direction of the staff review board and the feedback from various engagement activities were still relevant to be able to proceed with bringing this work forward for consideration. Amendments to the policy are needed. The proposed amendments are intended to introduce improvements for the public, staff and members of Council as it relates to the appointment process. Key priority areas include improved transparency of appointment process, streamlining the process for the public and addressing barriers to participation through timely communication with applicants through the process and time serving.

## **DISCUSSION**

Following direction from the staff review board, staff have drafted Administrative Order 2023-001-GOV – Respecting Public Appointments to Committees of Council and External Boards, to bring the proposed changes forward. A summary of the major changes is outlined below.

### ***General***

The policy has been re-written as an Administrative Order, intended to allow for improved transparency, tracking and maintenance. In addition, by creating a new Administrative Order the previous policy has been re-written to use clearer language to better outline the process, re-organized sections to allow for better flow when reading, and ensured policy and procedure are better aligned. Finally, to allow for more transparency, the Administrative Order now indicates when steps of the process are done in camera as personnel matters; outlining this clearly in the process provides greater upfront clarity to the public that the process will be done confidentially.

### ***Recruitment Process, Review Boards and Interviews***

The proposed policy outlines the various recruitment types including the intended purpose of each type. Throughout the policy when additional steps such as use of review boards and interviews are required or where they can be initiated by the Clerk or requested by the nominating body. This approach provides clarity on the variation between types and reflects protocols; as the recruitment process has grown in complexity since 2011. For some recruitment types, it makes the use of review boards and interviews automatic which will reduce some steps early in the process and should result in quicker appointments. Updates to the Administrative Order outline who participates in review boards and interview panels which provides more clarity to staff and the nominating body that is intended to create efficiencies in the process. Finally, it also acknowledges some inherent differences in internal recruitment (standard, special expertise and specified stakeholder) vs. the external recruitment process.

A summary table is outlined below:

Recruitment Process	Definition	Review Board Used?	Interviews Used?
Standard Recruitment	A standard recruitment is used for Committees of Council where the skills and interests required are general in nature. Recruitment is done through an expression of interest advertised to the public at large.	No – unless initiated by the Clerk or requested by the nominating body	No – unless Section 36 of the Administrative Order is used
Special Expertise Recruitment	A special expertise recruitment is used for positions on Committees of Council where Council has designated a specific expertise or perspective from a technical or professional group. Recruitment is done through an expression of interest advertised to the public at large identifying the particular expertise or perspective required.	No – unless initiated by the Clerk or requested by the nominating body	No – unless Section 36 of the Administrative Order is used
Specified Stakeholder Recruitment	A specified stakeholder recruitment is used for positions on Committees of Council where Council has identified a specific stakeholder organization to nominate a member of the Committee. Recruitment is done through a request to the stakeholder group to put forward one or more nominations for Council's consideration.	No	No
External Body Recruitment	An external body recruitment is used for appointments or nominations made by Council to an external body. The Clerk shall prepare a document outlining the required competencies for appointment to the external body for review by the head administrator of the external body. The Clerk may revise the competency requirements in response to the feedback from the head administrator of the external body. Recruitment is done through an expression of interest advertised to the public at large identifying the required competencies.	Yes	Clerk may recommend

### ***Application Process***

The work done by the staff review board identified areas for improvement with the application process to provide greater clarity to those applying for positions, nomination and appointment bodies and staff when administering applications and responding to inquiries.

The main improvements in this area include:

- **Applications not kept on file by the Clerk's Office:** The new policy clearly outlines that applications will only be accepted during the recruitment period and will not be kept on file for future recruitments;
- **External Body Requesting Reappointment of Incumbents:** The proposed policy outlines the process for recruitments and applications when an external body requests in writing that Council reappoint an incumbent and this request is approved by the nomination and appointment body;

Including this in the policy reflects current process and assists with expectation management as external body incumbents are often re-appointed if eligible. Furthermore, when used it would eliminate the need for a recruitment for requesting external bodies only, which would also eliminate review boards and interview panels, which adds time to the process and makes it harder to manage expectations from applicants, especially those selected for interviews when incumbents are generally re-appointed if they have terms remaining; and

- **Cover Letters, Resumes and References:** Cover letters and resumes will not be considered by the Clerk or by Council for a standard recruitment under the new policy and will only require the application form. Other types of recruitments may require a cover letter and/or resume and if so, would be requested in the advertised recruitment posting. References will only be required when requested by an interview panel. This change is meant to ensure each individual application is standardized by recruitment type and to ensure fairness and greater accessibility in the application process amongst applicants. Finally, this will streamline the reports to nominating and appointment bodies as additional application material will only be included when requested as part of the recruitment.

A summary table is outlined below:

Recruitment Type	Committees
<b>Standard</b> Application form only	Accessibility Advisory Committee Active Transportation Advisory Committee* African Descent Advisory Committee Grants Committee Halifax Peninsula Planning Advisory Committee Heritage Advisory Committee North West Planning Advisory Committee Point Pleasant Park Advisory Committee Western Common Advisory Committee* Women's Advisory Committee Youth Advisory Committee
<b>Special Expertise</b> Application form, resume and/or cover letter may be required	Audit Committee Board of Police Commissioners Design Advisory Committee Design Review Committee District Boundary Resident Review Panel Investment Policy Advisory Committee License Appeal Committee Regional Watersheds Advisory Board Western Common Advisory Committee*
<b>Specified Stakeholder</b>	Active Transportation Advisory Committee* Special Events Advisory Committee Western Common Advisory Committee*
<b>External</b> Application form, resume and/or cover letter required	Community Monitoring Committee Events East Halifax Harbour Bridges Commission Halifax International Airport Authority Halifax Port Authority Halifax Regional Library Board Halifax Water Board of Commissioners Shubenacadie Canal Commission

\*Some committees may require more than one recruitment type to satisfy the terms of reference

**Numbers of Committees an Individual May Apply For**

One of the main concerns raised by the public, staff, and members of Council, is the delay in time between when an applicant completes the application form and when they receive a response on if they have been selected or not. A key reason for this delay is currently all applicants can select three choices of committees which they rank in priority interest level.

The nomination and appointment process is complex and most individuals submit interest in three committees as allowed on the current application form. Depending on the committee, some appointments go to a nominating body and then an appointment body. Some nominating bodies for some committees have elected to have review boards and/or interviews prior to making a final recommendation to an appointment body. The result of this is the process can be lengthy to determine who will ultimately be appointed to a committee. Operationally, staff do not respond to an individual until the answer is known for all committees to which they have expressed an interest in.

The public survey results and members of Council interview results also indicated that awaiting the result of an application process is a frustration point for the public and often results several inquiries on the status of the application both to staff and Councillors. However, where the process is done in camera (in private),

neither staff nor Councillors can confirm additional information to the public on the status of their application, until it's completed, successful candidates have accepted their positions, and unsuccessful applications have been notified.

As part of the consultation done, the feedback from members of Council in 2019 was that in reviewing applications they are generally giving priority to those who have selected the committee as their first choice. In terms of applications, there are generally enough who have selected the committee as their first choice to fill the required vacancies.

Finally, it can also cause issues in the final steps of the process; where so much time has passed between application form and appointment, sometimes appointees need additional time to consider prior to accepting the appointment. This can cause additional delays in the process in responding to unsuccessful applicants.

Based on this information, the new proposed policy recommends that applicants be allowed to apply for one internal and one external committee. This is being recommend to:

- speed up the nomination and appointment process for staff, Councillors and the public;
- provide clearer information to nominating and appointing bodies in more succinct reports as applicants will only be able to choose one internal and external committee; and
- allow the Clerk's Office staff to respond more quickly to the public on the results of the process for the committees they are interested in which should provide a higher level of customer service to them.

### ***Clarity on Appointment Process***

The 2011 Policy noted that appointments were finalized following a motion by the appointment body. Operationally, appointments were not finalized until an appointee accepted the appointment and then it was confirmed with websites updated with list of members and unsuccessful applications communicated to on the results of the recruitment.

This clarity in the new proposed Administrative Order is important as sometimes for various reasons the appointee may not accept the appointment. Staff cannot assume they will accept prior to the confirmation from them, to ensure no issues including privacy issues.

The new proposed Administrative Order identifies that appointments to Committees of Council are conditional on acceptance by the applicant and shall take effect upon receipt of the applicant's acceptance by the Clerk's Office. For appointments or nominations to external bodies they are conditional on acceptance by the applicant and shall take effect upon receipt of the applicant's acceptance by the Clerk's Office, except whereas the appointment process varies as outlined in the external body's terms of reference. Subject to the process outlined in an external body's terms of reference, upon notification to the applicant from the Clerk's Office that the applicant has been selected for nomination or appointment, the applicant shall have 14 days to accept the nomination or appointment. The Clerk may extend the 14-day acceptance period in their sole discretion where the applicant has identified extenuating circumstances that require additional time. But in no such case shall the acceptance period be extended beyond an additional 7 days.

Following confirmation of acceptance, the names of the appointees shall be published by the Clerk on [www.halifax.ca](http://www.halifax.ca). The names of any alternates appointed shall not be published until such time as the individual is required to fill a vacancy.



### ***Next Steps***

Should the new proposed Administrative Order be approved staff in the Clerk's Office will commence a review of the existing application form and web pages to ensure alignment. In addition, once this work is completed the Clerk's Office will continue to review several other areas related to Public Appointments including: communications, recognition, Councillor engagement and awareness, public member exit surveys and better alignment of the recruitment process with other operational demands including Municipal Elections and Councillor Appointments.

### **FINANCIAL IMPLICATIONS**

No financial implications identified.

### **RISK CONSIDERATION**

The proposed Administrative Order includes clarifications and some proposals to address some identified challenges. There is risk in continuing to use to existing policy, and the current process will continue to see challenges and not provide the necessary clarity that staff, public and members of Council require to make appointments in the most effective and efficient manner.

### **COMMUNITY ENGAGEMENT**

A review of the Public Appointment Policy was initiated by the Office of the Municipal Clerk in 2018. The review was robust and included the formation of a multi-departmental staff review board, consultation with board and committee members via a survey, interviews with six members of Councillors, a public survey with 455 responses and a special consultation with the Youth Advisory Committee members.

An overview of the Board, Committee and Commission engagement activities can be found in Attachment 3.

### **ENVIRONMENTAL IMPLICATIONS**

No environmental implications were identified.

### **ALTERNATIVES**

The Executive Standing Committee could recommend that Regional Council adopt the proposed Administrative Order with amendments. This may require a supplementary staff report.

The Executive Standing Committee could request a supplementary staff report on any areas of the proposed Administrative Order and have staff report to Executive Standing Committee prior to making a recommendation to Regional Council.

### **ATTACHMENTS**

Attachment 1 – Proposed Administrative Order 2023-001-GOV  
Attachment 2 – 2011 Public Appointment Policy  
Attachment 3 - Board, Committee and Commission Engagement Activities

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A copy of this report can be obtained online at or by contacting the Office of the Municipal Clerk at 902.490.4210.

Report Prepared by:       Iain MacLean, Municipal Clerk, 902-490-4210

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ADMINISTRATIVE ORDER NUMBER 2023-001-GOV  
RESPECTING PUBLIC APPOINTMENTS TO  
COMMITTEES OF COUNCIL AND EXTERNAL BOARDS

WHEREAS the Municipality values community participation and service as fundamental to the success of the Municipality;

AND WHEREAS the Municipality strives to have appointments made by Council reflect the diversity of the communities that it serves;

AND WHEREAS the Municipality seeks to appoint members of the community who bring skills, expertise, and perspectives that contribute to good governance;

BE IT RESOLVED AS AN ADMINISTRATIVE ORDER of the Council of the Halifax Regional Municipality under the authority of the *Halifax Regional Municipality Charter*, as follows:

**Short Title**

1. This Administrative Order may be known as the *Public Appointments Policy*.

**Purpose**

2. The purpose of this Administrative Order is to establish a process for the appointment of residents of the Halifax Regional Municipality to Committees of Council and external boards, committees or commissions, that is principle-based, implemented in a consistent manner, and administered with integrity.

**Interpretation**

3. In this Administrative Order,

(a) “appointing body” means the Council, or the Community Council or Standing Committee of Council designated by Council to make appointments for a particular Committee of Council or external body;

(b) “CAO” means the Chief Administrative Officer of the Municipality;

(c) “Clerk” means the Clerk of the Municipality, and includes a person acting under the direction or supervision of the Clerk;

(d) “Committee of Council” means a committee established by Council in accordance with the *Halifax Regional Municipality Charter* and includes standing, special and advisory committees, citizen advisory committees, and planning advisory committees;

(e) “Council” means the Council of the Municipality;

(f) “employee” includes an individual who is a permanent, casual, or contract employee, on a full or part-time basis, with the Municipality, the Halifax Regional Library Board, or the Halifax Regional Water Commission;

(g) “external body” means any body corporate whose incorporation documents require the Municipality to appoint or nominate a member of its Board of Directors;

(h) “Municipality” means the Halifax Regional Municipality;

(i) “nominating body” means the Standing Committee of Council or Community Council designated by Council to recommend to Council the appointments for a particular Committee of Council or external body;

(j) “resident” means an individual who has lived in the Halifax Regional Municipality for a minimum of six months prior to the date of their application.

#### **Application**

4. This Administrative Order applies to appointments of residents of the Municipality made by the Municipality to either:

(a) Committees of Council, including Committees of Community Councils; or

(b) external bodies,

but does not apply to the appointment of members of Council to such entities.

5. Council may, by resolution or by policy, vary the requirements of this Policy for appointments to a particular Committee of Council, or in response to a request from an external body.

#### **Eligibility**

6. (1) Subject to subsection (2), applicants for positions on Committees of Council shall meet the following criteria to be eligible for consideration:

(a) resident of the Halifax Regional Municipality; and

(b) a minimum of 19 years of age.

(2) Council may vary the minimum age requirement by Administrative Order or resolution of Council where it seeks to engage youth aged 13 to 18 years old. Any such appointments are conditional upon approval by the youth’s parent or guardian.

7. Applicants for positions on external bodies shall meet the criteria as set out in section 6, and any additional criteria for eligibility that may be required by the external body to which the appointment is made.

8. An appointee who ceases to meet the eligibility requirements during the term of their appointment shall inform the Office of the Municipal Clerk and shall be deemed to have resigned their position.

9. The following relatives of a member of Council are not eligible for consideration for an appointment by Council made pursuant to this Administrative Order:

- (a) the spouse of a member of Council;
- (b) any child, father, mother, or sibling of a member of Council or a member of Council's spouse;
- (c) the spouse of the persons referred to in clause (b); and
- (d) any other person who normally resides in the same home as the member of Council.

10. Unless appointed to an external body to represent the Municipality on an *ex officio* basis (by virtue of their position), employees are not eligible for appointment to a Committee of Council or an external body.

#### **Recruitment Period**

11. There shall be a minimum of two general recruitment periods during the course of each municipal election cycle, the timing of which shall be determined by the Clerk.

12. Special recruitment periods may occur for the creation of a new Committee of Council, to fill a vacancy on a Committee of Council, or by request for an appointment to an external body.

#### **Recruitment Process**

13. The recruitment process shall be conducted by the Office of the Municipal Clerk.

14. (1) Subject to subsection (2), the Clerk shall choose one of the following recruitment processes:

(a) standard recruitment: A standard recruitment is used for Committees of Council where the skills and interests required are general in nature. Recruitment is done through an expression of interest advertised to the public at large;

(b) special expertise recruitment: A special expertise recruitment is used for positions on Committees of Council where Council has designated a specific expertise or perspective from a technical or professional group. Recruitment is done through an expression of interest advertised to the public at large identifying the particular expertise or perspective required;

(c) specified stakeholder recruitment: A specified stakeholder recruitment is used for positions on Committees of Council where Council has identified a specific stakeholder organization to nominate a member of the Committee. Recruitment is done through a request to the stakeholder group to put forward one or more nominations for Council's consideration; or

(d) external body recruitment: An external body recruitment is used for appointments or nominations made by Council to an external body. The Clerk shall prepare a document outlining the required competencies for appointment to the external body for review by the head administrator

of the external body. The Clerk may revise the competency requirements in response to the feedback from the head administrator. Recruitment is done through an expression of interest advertised to the public at large identifying the required competencies.

(2) Where an external body makes a request in writing to the Council, through the nominating body where applicable, Council may agree to reappoint or renominate an incumbent candidate to the external body without undertaking a recruitment process.

15. The Clerk may conduct outreach initiatives to raise awareness by equity-deserving groups of opportunities and the process for applying. The Clerk may also cooperate with community agencies that recruit and train members from under-represented constituencies to have a more representative applicant pool.

### **Application Process**

16. (1) An individual applying for an appointment in accordance with this Administrative Order shall submit an application to the Office of the Municipal Clerk.

(2) A new application is required for each recruitment period and each term of appointment.

17. (1) An application for a standard recruitment shall include a completed application form. Cover letters and resumes will not be considered by the Clerk or by Council.

(2) An application for a special expertise recruitment or an external body recruitment shall include a completed application form and may require a cover letter or resume as set out in the advertised recruitment posting. Cover letters and resumes will only be considered by the Clerk or Council where they are required by the advertised recruitment posting.

(3) No application is required for a specified stakeholder recruitment. The stakeholder group shall put forward the nominations for Council's consideration.

18. In order to assist the Municipality in achieving its objectives of access, equity and diversity, applicants are encouraged, but not required, to include self-identifying information in the application.

19. (1) During the recruitment period, the Clerk shall make application forms available on-line at [www.halifax.ca](http://www.halifax.ca).

(2) The Clerk Shall make available one additional method by which an application may be submitted.

20. An applicant who requires accommodation to participate in the application process may contact the Clerk.

21. An applicant may apply for no more than one Committee of Council and one external body during a recruitment period.

22. Only those applications received in the prescribed form by the advertised deadline date shall be considered by Council.

23. An applicant may withdraw their application by advising the Clerk, in writing, that they no longer wish their application to be considered.

24. In the event insufficient eligible applications from qualified individuals are received, the Clerk may extend the deadline date for applications. Public notice of an extension of the deadline shall be published by the Clerk on [www.halifax.ca](http://www.halifax.ca).

25. Upon the closing of the application period, the Clerk shall review the applications received for each Committee of Council and external body to:

(a) confirm that the applicant is eligible for appointment, including identifying current incumbents and determining their current length of service and eligibility to re-apply; and

(b) confirm that the application is complete and was submitted on time.

26. Applications may only be submitted in response to an active recruitment and will not be kept on file for future recruitment opportunities.

27. The Clerk shall maintain the confidentiality of the applications in accordance with Part XX of the *Municipal Government Act* (Freedom of Information and Protection of Privacy), and shall only provide copies of the applications to those staff and members of Council participating in the selection process.

#### **Selection Process**

28. (1) Subject to subsection (2), the selection process is conducted by the nominating body with support from the Clerk and may include the following steps in addition to the consideration of the application by the nominating body:

(a) review board; and

(b) interviews.

(2) Where there is no nominating body, the appointing body acts in the place and stead of the nominating body.

#### **Consideration by the Nominating Body**

29. The nominating body shall meet *in camera* to review applications and, where a review board has reviewed the applications, a summary of its review. The nominating body may request additional information if it feels it is necessary to support its review.

30. A staff member from the Office of the Municipal Clerk will be the policy advisor to the nominating body during the consideration of applications. Where a review board has reviewed the applications, the nominating body may choose to invite the review board members to advise or observe.

31. Following consideration of applications, the nominating body may:

- (a) short-list applicants to conduct interviews in accordance with section 36; or
- (b) move directly to nominations, or where there is no nominating body, the appointing body may move directly to appointments.

32. In addition to the applications, any review board summaries, and any interviews, the nominating body may consider the following in making its nominations:

- (a) achieving a balance of experienced and new members;
- (b) geographic representation from across the municipality; and
- (c) representing the diversity and demographics of the community.

33. The nominating body shall submit its recommendation for each vacant position to the appointing body for its consideration. The recommendation may include one or more alternates for appointment in the event that a vacancy occurs during the term of any member of the Committee of Council or external body.

#### **Review Board**

34. (1) For Committees of Council that utilize a special expertise recruitment or a standardized recruitment, a review board may be initiated by the Clerk or requested by the nominating body to review the applications in advance of the nominating body and shall consist of the CAO or designate, the Clerk, and a member of staff selected by the CAO.

(2) For external bodies, a review board shall be initiated to review the applications in advance of the nominating body and shall consist of the CAO or designate, and the Clerk. The Clerk shall extend an invitation to the Chair or Vice Chair of the external body's board of directors, and its head administrator or designate, to participate in the review board process.

35. The role of a review board is to apply this Administrative Order and any specific qualifications required as part of the recruitment process to review the applications and determine:

- (a) eligibility;
- (b) qualifications;
- (c) diversity considerations; and

(d) potential conflicts of interest,

and a shortlist shall be prepared for consideration by the nominating body.

### **Interviews**

36. (1) For Committees of Council that utilize a special expertise recruitment or a standardized recruitment, interviews may be initiated by the Clerk or requested by the nominating body, consisting at a minimum of a member of the nominating body, the CAO or designate, and a staff representative as appointed by the CAO.

(2) Subject to the specific requirements of any external body, the Clerk may recommend that the nominating body appoint an interview panel to conduct interviews for an external body recruitment, consisting at a minimum of a member of the nominating body, the CAO or designate, and the Chair of the board of directors for the external body.

37. Interviews shall be conducted with those individuals short-listed by the nominating body and shall be done generally in accordance with human resources practices.

38. The Clerk and a member of the review board shall be invited to attend.

39. References may be requested by the interview panel.

40. The interview panel shall report the results of the interviews to the nominating body for its consideration in making nominations.

### **Appointments**

41. (1) Unless otherwise directed by Council at the time of a Committee of Council's establishment, appointments shall be made by Council *in camera* upon recommendation from the nominating body directed by Council.

(2) The recommendation from the nominating body shall include a list of candidates recommended for appointment, the term of appointment, and a list of alternate appointments.

(3) For an external body recruitment, the recommendation from the nominating body may include a short candidate biography.

42. Appointments are made at the pleasure of the appointing body and may be rescinded at its discretion by resolution.

43. Council shall make the number of appointments necessary to fill the vacancies required for a Committee of Council or external body and may appoint alternates for use in the event that a vacancy occurs on the Committee of Council or external board between recruitment periods.

44. After approval of appointments by Council, the Clerk shall:



(a) prepare a notice of appointment stating the name of the appointee, the Committee of Council or external body to which they have been appointed, and the length of their term;

(b) communicate to all applicants for the Committee of Council or external body the decision of Council with respect to whether their application, either:

(i) including their notice of appointment;

(ii) thanking them for their interest in volunteering; or

(iii) notifying them that they have been selected as an alternate; and

(c) for appointments to an external body, communicate to the external body the appointment or nomination made by Council and provide the external body with the necessary contact information for the appointee or nominee to facilitate communication.

45. (1) Appointments to Committees of Council are conditional on acceptance by the applicant and shall take effect upon receipt of the applicant's acceptance by the Clerk's Office.

(2) Appointments or nominations to external bodies are conditional on acceptance by the applicant and shall take effect upon receipt of the applicant's acceptance by the Clerk's Office, except whereas the appointment process varies as outlined in the external body's terms of reference.

46. (1) Subject to the process outlined in an external body's terms of reference, upon notification to the applicant from the Clerk's Office that the applicant has been selected for nomination or appointment, the applicant shall have 14 days to accept the nomination or appointment.

(2) The Clerk may extend the 14-day acceptance period in their sole discretion where the applicant has identified extenuating circumstances that require additional time. But in no such case shall the acceptance period be extended beyond 7 additional days.

47. The names of the appointees shall be published by the Clerk on [www.halifax.ca](http://www.halifax.ca) after communication has been sent to all applicants in accordance with section 44(b). The names of any alternates shall not be published until such time as the individual is required to fill a vacancy.

#### **Term of Appointment**

48. (1) Unless otherwise established by Council, appointments to Committees of Council shall be for a term of two (2) years.

(2) Each appointment to a Committee of Council shall continue until the successor is appointed.

(3) The term of appointments to external bodies shall be as established by the external body.

49. To achieve continuity on Committees of Council, it should be the practice to stagger the terms of the members so that not all members are replaced at the same time. In the event that the terms of the members are complete at the same time, the Council should consider appointing some incumbent members.

50. Where an appointment is made to fill a vacancy that occurs part way through a term, the appointment shall be for the remainder of that term, and that appointment shall not be considered as a term when calculating the maximum number of terms that the appointee may be appointed to serve.

#### **Length of Service**

51. (1) Subject to subsection (2), an incumbent may reapply to serve on the same Committee of Council for a subsequent term, but Council shall not consider appointing individuals for more than two (2) consecutive terms on the same Committee of Council or external body.

(2) Incumbents may be considered for reappointment by Council for more than two (2) consecutive terms in the following circumstances:

(a) an insufficient number of applications have been received from eligible or qualified applicants to fill the number of vacancies; or

(b) there would be a lack of continuity of membership on the Committee of Council if all members were replaced at the same time.

(3) The length of service for external bodies shall be as established by the external body.

#### **Leaves of Absence**

52. In the event that a member of a Committee of Council requires a leave of absence for more than three consecutive regular meetings, that member shall submit such a request to the Office of the Municipal Clerk, which shall submit the request to the appointing body for its consideration.

53. The approval of a request for a leave of absence is in the sole discretion of the appointing body.

#### **Vacancy**

54. A vacancy is created on a Committee of Council or an external body on the date that:

(a) the member submits their resignation;

(b) the member ceases to be qualified in accordance with the requirements in Section 6, the Committee of Council's Administrative Order or terms of reference, or the external body's qualification requirements;

(c) the member is removed by Council or the appointing body;

(d) the member dies; or

(e) the member, without leave of the committee, is absent for three consecutive regular meetings and notification is provided to the Clerk.

55. (1) Council, through its appointing body, shall fill the vacancy.

(2) Where the appointing body has appointed alternates for a Committee of Council or external body, Council hereby delegates to the Clerk the power to advise the alternate of their appointment without requiring further approval from the appointing body.

56. A member may resign by submitting a letter of resignation to the Clerk. Such resignation becomes effective upon receipt. A resignation may not be withdrawn once it has been delivered to the Clerk.

**New Members**

57. The Clerk may arrange an initial orientation for all new and returning members appointed to a Committee of Council, which may include training on:

- (a) the Committee of Council’s terms of reference;
- (b) meeting procedure (Administrative Order One);
- (c) conflict of interest (Municipal Conflict of Interest Act); and
- (d) access and privacy (Municipal Government Act – Part XX FOIPOP).

**Repeal**

58. The Public Appointment Policy adopted by Council on August 2, 2011 is repealed effective as of the date this Administrative Order comes into force.

Done and passed in Council this XXXX day of XXXXXXXX, 2023.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Municipal Clerk

I, Iain MacLean, Municipal Clerk of the Halifax Regional Municipality, hereby certify that the above-noted Administrative Order was adopted at a meeting of the Halifax Regional Council held on XXXXXXXXX, 2023.

\_\_\_\_\_  
Iain MacLean, Municipal Clerk

# **Public Appointment Policy – Governing citizen appointments to HRM Agencies, Boards, Committees and Commissions and to External Bodies**

## **1 GUIDING PRINCIPLES**

### **1.1 Introduction**

A commitment to community participation and service is a key to the success of the Halifax Regional Municipality. Part of that commitment can be fulfilled by recruiting and selecting HRM residents to provide high calibre direction to HRM's volunteer Agencies, Boards and Committees (ABCs) and the external agencies for which HRM has been invited to appoint members.

### **1.2 Provide a variety of perspectives**

The appointment of members of the public to serve on HRM Boards and Committees is important for a variety of reasons such as to;

- i. Reflect the diversity of the community
- ii. Represent stakeholder groups (where appropriate)
- iii. Bring specific skills and expertise that contribute to good governance
- iv. Represent specific groups of service users, and
- v. Bring volunteers or profile to a service

### **1.3 Purpose of the Policy**

This policy provides a guide to Members of Regional Council and staff in the process to ensure consistency, integrity and fairness in administering the process and provides information about how the process works for those residents of HRM who are interested in applying to serve.

### **1.4 Policy applicability**

This policy applies to HRM's citizen appointments to HRM Boards and Committees and to appoint members. It does not apply to the appointment of Members of Council to such bodies.

## **1.5 Open, Competitive and Equitable Process**

HRM is committed to an open, competitive and equitable appointment process to encourage a broad range of participation of HRM residents in the democratic functioning of the Region.

- Openness, means that the process for applying and selection is laid out in advance and is communicated to all associated with the selection process
- Competitive means that is a public recruitment for positions and a commitment to seek suitable candidates and evaluate applicants on merit.
- Equity means that practices are consistent, accessible across HRM and discrimination free. It includes an environment that seeks to remove barriers to the recruitment, selection and retention of disadvantaged groups including women, youth (ages 18-30), aboriginal people, people with disabilities and visible minorities.

Openness, competition and equity are values that should reinforce and complement one another in the process of recruitment and selection of residents for appointment to HRM Agencies, Boards and Committees (ABCs).

## **1.6 Selection Strategy**

Council recognizes that the needs of HRM's Agencies, Boards and Committees (ABCs) are best met by candidates who match the needs of the individual ABC's requirements. Council shall approve qualifications relevant to the responsibility of the Board or Committee and ensure, in making appointments, that the appointments collectively cover the range of skills and experience required to effectively make decisions.

Council also recognizes that HRM is best served by Boards and Committees that reflect the geography and diversity of the community to be served.

## **1.7 Variation from the Policy**

This document articulates the general policy applicable to the appointment process. Council may, at its discretion, provide more specific direction or variance from time to time as Council sees fit.

# **2 ELIGIBILITY AND QUALIFICATIONS**

## **2.1 Eligibility Requirements**

Persons selected for appointment must meet with eligibility requirement as outlined in the Municipal Elections Act.

- a) A resident of HRM
- b) At least 18 years of age (exceptions may be made by Council for committees specifically

related to youth)

The appointee is required to maintain this status throughout their entire term of appointment.

If/where required by law for a specific appointment the resident must also be a Canadian citizen.

## **2.2 Restriction for Relatives of Members of Council**

Relatives of Members of Council (spouse, children and parents or those living in the same household as the Council Member) are not eligible for appointment to HRM Boards and Committees or to external agencies for which HRM has been invited to appoint members.

## **2.3 Restriction for Staff**

Staff of HRM or its agencies, boards or, commissions (ABCs) are not eligible to apply for an HRM appointment, but they may be appointed on an ex-officio basis (by virtue of their position) to be given the right to attend and participate in discussion at meetings without being a member.

Staff of HRM or its agencies, boards or commissions (ABCs) may be nominated by HRM to serve on external boards, provided that this is within the eligibility requirements of the external board. In such circumstances any honorarium paid for service on an external agency, board or committee shall be paid directly to HRM and not to the staff member.

## **2.4 Multiple Appointments**

To encourage the broadest degree of citizen involvement no citizen shall serve concurrently on more than one (1) HRM Board and/or Committee except;

- A member of a Business Improvement District (BID) may also serve on one (1) HRM Agency or Board or Committee or be nominated to serve on one (1) external body to which Council recommends appointment(s)
- A citizen who is appointed to an HRM Board or Committee may also be nominated by HRM to serve on one (1) external body to which Council recommends appointments.

# **3 TERMS AND LENGTH OF SERVICE**

## **3.1 Terms of appointment**

A set term will be established for each ABC. In general the term will be for two (2) years, coincident with the term of the Council that appoints the members or until a successor is

appointed. Exceptions are noted below:

Despite the term of appointment, all citizens are appointed at the pleasure of Council and Council retains the right to replace any appointed member at any time and for any reason.

The Council document appointing citizen members shall state the name of the appointee, the board or committee (ABCs), the term of the appointment and the fact that they have been appointed at the pleasure of Council.

### **3.2 Limits on Length of Service**

Acknowledging the value of experience and the need for continuity, incumbents who are eligible and willing to seek reappointment may apply for a subsequent term.

When reapplying for reappointments incumbents must complete an application form as provided by the Office of the Municipal Clerk.

HRM also recognizes the importance of engaging as many residents as possible and infusing new ideas and perspectives from time to time.

To facilitate this length of service for any citizen is two (2) consecutive term on the same Board or Committee (ABC). Exceptions are noted below.

### **3.3 Exceptions**

#### **a) Community-based ABCs**

For community-based boards the term is set by the Board, but the term may not exceed four (4) years.

Any citizen who has served eight (8) or more consecutive years on a community-based board may not be reappointed to the same board in the following term.

#### **b) External Boards**

For external bodies citizen appointments for terms set by the body inviting HRM to nominate members: The limit for serving on an external body will depend on the requirements set forth by the body inviting the nomination. However, any citizen who has served eight (8) or more consecutive years on an external body may not be nominated by HRM for reappointment to the same body for the following term.

#### **c) Interest Group nominees**

For nominees to a board or committee from a stakeholder/interest group (as per the Terms of Reference of the ABC) their term corresponds with the term of the board (as per clause 3.1). Nominees from stakeholder/interest groups are exempt from the limits of maximum length of service on a board or committee (ABC).

### **3.4 Partial Terms**

When an appointment is made to fill a vacancy the balance of the term shall not count towards the maximum length of service or number of terms on the Board for the appointee.

### **3.5 Staggered Term**

Recruitment shall generally be carried out in November of the term of a new Council and November of the mid-term of the Council (even years).

Gradual turn over can be achieved by the nominating Standing Committee ensuring that there is a balance of new members and returning incumbents recommended for each term.

### **3.6 Continuation past the End of Term**

Members continue to serve on a board (ABC) past the end of their term, at the pleasure of Council, until successors are appointed.

### **3.7 Reappointments when Maximum Service Reached**

To ensure healthy turnover effort should be made to achieve a balance between new members and those with experience serving on the Board (ABC).

Subject to the exemptions noted below, incumbents who reapply for appointment beyond the stated maximum length of service on the same board will be deemed ineligible. Their applications can only be considered under special circumstances such as an insufficient number of applications having been received

- a) From eligible and qualified applicants, or
- b) From incumbents who are eligible to be reappointed, and thereby
- c) The board (ABC) would suffer from a lack of continuity if all members are replaced at once.

Any recommendation to reappoint an incumbent who has reached their sunset date shall identify those special circumstances and recommend to Council a waiver of the limit on length of service.

### **3.8 Vacancies**

A vacancy on a board (ABC) is created when a member resigns or vacates the position for any reason effective the earliest of;

1. The date of resignation
2. The date the member ceases to be qualified
3. The date the member is removed by Council



4. The date the board (ABC) declares the position vacant due to lack of attendance (as per Administrative Order #1 – Council procedures), or
5. The date of death or other incapacitation

### **3.9 Leaves of Absence**

Citizen board members who run for elected office shall take a leave of absence from the board. The leave is required to begin as of the day the member is nominated as a candidate standing for election.

Board members who wish to request a leave of absence for an extended period of time may submit such a request to the board. The board, through the Office of the Municipal Clerk, will forward the request to the relevant nominating authority (Standing Committee or Community Council) for action the nominating authority deems as appropriate.

Requests may be approved or denied at the sole discretion of the nominating authority.

A temporary vacancy created by a leave of absence may be filled on a temporary basis from the list of previously submitted applications from among the qualified candidates for the period of leave or may be left vacant.

## **4 RECRUITMENT METHODS**

### **4.1 Timing of Appointments**

Generally, the public appointments process will begin as soon as possible after the municipal election to allow the nominating bodies (Standing Committees and Community Councils) to consider potential applicants as soon as possible in the new term.

A second round of appointments will come due at the mid-term of the term of Council. The timing may vary from board (ABC) to board.

Appointments shall not be made past the term of the sitting Council.

### **4.2 Nominating body**

The term nominating body used in this policy refers to either a Community Council having the ability under the Charter to appoint advisory committees or to a Standing Committee of Council delegated the responsibility by Council to recommend citizens for appointment.

Council will determine, through the adoption of terms of reference for a Standing Committee or by delegating to a Community Council, the appropriate nominating body. Council may choose, by motion, to change those determinations from time to time. The nominating body

for HRM's Boards and Committee structure is outlined in APPENDIX A of this policy (as revised from time to time).

### **4.3 Advertised Recruitment**

#### **i) Standard recruitment**

The standard recruitment process used by HRM for Boards and Committees where skills and interests required are general in nature is to invite applications and expressions of interest through an advertisement to the public at large.

#### **ii) Special Expertise**

Where Council has designated a special expertise from a professional or technical group but not a specific organization the standard publicized application process will be used identifying the particular expertise or professional designation required. Applicants must be able to demonstrate that they meet the requirements as outlined in order to be considered.

#### **iii) Specified Stakeholders/interest groups/organizations**

Where Council wishes to represent the interests of stakeholders or obtain special expertise from a professional or technical organization, the composition of a board (ABC) in the Terms of Reference as adopted by Council will designate one or more positions as being nominated from a specifically designated group or organization.

In the case of special interest groups, stakeholders' groups or specifically designated organization Council relies on the ability of the interest group to nominate appropriate and effective representatives. If required by the nominating process for a specific board the interest group may be asked to nominate more than one candidate for a position for selection by Council's designated nominating body.

#### **iv) Recruitment to External Boards and Commissions**

The Municipal Clerk will prepare a document outlining the competencies required by the Board for its members, and will provide that information, along with a questionnaire, to the head administrator of the external agency, for review and feedback to the Municipal Clerk.

The Municipal Clerk will revise the competency requirements in response to feedback received from the head administrator of the external agency, and will then circulate the revised document, along with the questionnaire, to the external agency's board to solicit additional feedback.

The information gathered from both the head administrator and the board of the external agency will be incorporated into the public notice, and promotional materials used when recruiting for the board. Some information gathered will also be incorporated into reports to nominating bodies.

## **5 Application Process**

### **5.1 Applications**

During the recruitment process applications forms are made available on line, by mail from the Office of the Municipal Clerk, and at HRM Customer Service Centres.

Applicants must submit their completed application forms to the Clerk's Office at [clerks@halifax.ca](mailto:clerks@halifax.ca), by mail or fax or through the on-line recruitment form provided on the HRM web site.

Applicants are requested to attach a short bio (summary of biographical information) that will be made public if the applicant is appointed.

Applicants may submit a resume or other pertinent information along with the completed application form.

## **5.2 Incumbents**

Incumbents who are eligible and willing to seek reappointment to HRM Boards (ABCs) or External boards to whom HRM makes appointments must reapply in the same manner as other applicants to be considered for reappointment, which may include completing the formal interview process.

## **5.3 Multiple Applications**

Applicants may apply for more than one (1) board. The applicant must specify which boards (up to 3) they are applying for and express their priority of choice (1 through 3, with 1 being their first choice)

Applicants applying for more than one board should identify how their skills and interests apply to each of the boards (ABCs) for which they wish to be considered.

## **5.4 Portability of Skills**

With the permission of the applicant, where skills and competencies are similar and transferable applicants who apply for one boards may be identified and considered by the nominating body for consideration on another board with similar requirements.

## **5.5 Submission Deadlines**

The nominating body shall consider only applications received in the prescribed form by the advertised deadline date. Late applications shall not be considered.

In those cases where there are insufficient applications from qualified or eligible candidates, the nominating body, through the Office of the Municipal Clerk, may extend the deadline for applications. Public notice of any extension to the deadline shall be given. Public notice of an extension can be in the form of a notice on the Boards & Committees page of the HRM web site.

## **5.6 Retention of Applications**

Applications will be retained by the Office of the Municipal Clerk for the term of the Board for consideration of vacancies that may arise during the Term of the Board and may be brought forward with the permission of the applicant should a vacancy arises.

## **5.7 Potential Conflict of Interest**

Applicants should consider whether they have a real or perceived conflict of interest with a board, including direct or indirect pecuniary interest with HRM. As part of the application process applicants must identify and disclose any actual or potential conflicts of interest they may have.

Potential conflicts of interest may include, but not be limited to applicants, their spouses, partners, parents or children;

- Currently doing business with or working as a consultant for HRM or HRM agencies, boards or committees; or.
- Serving as a lobbyist for an industry, interest or organization that may be affected by the outcome of considerations of the board (ABC); or
- Any interest, direct or indirect, in outstanding litigation involving HRM or HRM agencies, boards or committees; or
- Any tax arrears or fines outstanding to HRM beyond the current year whether it is private, commercial, property or business.

Disclosure of such potential conflicts does not mean that an applicant is automatically ineligible for an appointment, but the nominating body may assess potential conflicts in its determination of whether an applicant may be considered further.

## **5.8 Self-identified Diversity Information**

In order to enable HRM to achieve the objectives of access, equity and diversity applicants are encouraged to include self-identifying information in their applications for an appointment.

## **5.9 References from Members of Council**

The practice of Members of Council providing references (verbal or written) in support of an applicant for an appointment to a Council agency, board or committee or external body to which Council has been invited to appoint members shall be governed by this policy that states;

1. A Member of Council shall not provide a reference in support of an applicant for appointment to an HRM Agency, Board, Committee or Commission or to an external body to which Council has been invited to appoint members, unless the Member of Council has had an employment or relevant board, committee or agency relationship with the person requesting the reference.
2. Unless circumstances clearly indicate otherwise and the Member declares their interest in the matter, the member of Council shall
  - a. Not provide references where the only basis for doing so is to use the influence of their office or help someone the Member knows merely as a constituent, friend or relative; and
  - b. Confine the provision of references (written or verbal) to situations where the Member has relevant personal experience of the applicant.

## **6 Selection Process**

### **6.1 Screening for eligibility**

The Office of the Municipal Clerk will review the eligibility requirements and identify those applicants that are ineligible for appointment either because they have not met the eligibility for appointment or due to late submissions. The Clerk's office will also identify which applications are incomplete and whether an applicant is a current incumbent, and if so, the length of service.

### **6.2 Staff Review**

When establishing a new board, committee or agency or making appointments for a new term to a board, agency or committee where Council has designated a specific expertise or skills set a staff board may be requested to review the applications.

The staff board will apply the Public Appointment policy and the board-specified qualifications as approved by Council to reach a consensus on how each applicant demonstrates qualification for the position.

The staff board will prepare a summary for each applicant that shows

- a) Name,
- b) Whether eligible and reasons for not eligible (late, incomplete, non-resident, under 18, etc.)
- c) The district of residence
- d) Whether a current incumbent, and if so the length of service
- e) Which qualifications are sufficiently demonstrated in the application sorted in order of most qualified first
- f) Any disclosed diversity information; and
- g) Any disclosed potential conflicts of interest.

The staff board will disclose the results of any relevant evaluations or references that may have been conducted.

### External Board Appointments

For external board appointments, a staff board will be convened to review the applications, consisting of the Municipal Clerk and Chief Administrative Officer (or designate). The Chair or Vice Chair of the external agency's board, and the head administrator (or designate) of the external agency, will be invited to participate in the staff board review process.

### **6.3 Nominating Body Evaluation process**

The nominating body (Standing Committee or Community Council) shall meet in private to review candidates for nomination.

A staff member from the Office of the Municipal Clerk will be the policy advisor to the nominating panel. The staff board or any program staff identified by the nominating body may be invited as advisors/observers.

The nominating body will review the applications along with the summaries prepared by the Clerk's office and/or staff board to determine if there is any additional information about any candidate that should be obtained before proceeding with short-listing or nominations and direct staff to secure the information needed. The nominating body may also refuse to consider incomplete or insufficient applications without seeking further information.

Current board members should be evaluated in the same way and by the same criteria as new candidates, but nominating bodies should also consider the results of any evaluation process that has been conducted.

The staff report submitted to the nominating body will recommend that the nominating body appoint an interview panel to conduct interviews when considering appointments to external boards and commissions.

The nominating body may then proceed to either:

- a) Short-list applicants in order to conduct interviews, or
- b) Move directly to nominations

Where there are insufficient numbers of applicants to conduct a competitive selection process, the nominating panel may:

- a) Request the Clerk's office to extend the deadline for submissions
- b) Refer to applications for candidates for other boards, committees of agencies, with the permission of the applicants, who may have similar skills and competencies
- c) Request the staff board to pursue an active recruitment and/or re-advertising for the position; or

d) Consider recommending waiving the limits for length of service to re-appoint incumbents that have served the maximum terms

## **6.4 Interviewing Process**

At the direction of the nominating body interviews may be conducted to further determine the expertise and suitability of candidates for the skills sets sought.

The nominating body will designate an interview panel which will consist of a member of the nominating body, the Chief Administrative Officer for HRM (or designate) and either Chair or Vice Chair of the receiving board.

The interview panel will conduct interviews with the candidates short-listed by the nominating body in accordance with acceptable human resource practices.

A representative of the Office of the Municipal Clerk and staff board (if applicable) shall be invited to attend as advisors/observers.

References may be requested by the interview panel for candidates being considered.

The interview panel will report to the nominating body and the results of the interviews will be considered by the nominating body to assist in their recommendation/s.

## **6.5 Nominating/Selection Process**

Whether done through an interview process, or by nominations from the information provided by the applications and any relevant staff board reviews the selection body will strive to achieve a balance of:

Qualified candidates covering the range of qualifications specified by the Terms of Reference of the board

- Experienced and new members
- Geographic representation; and
- Representation of the diversity and demographics of the community

The Nominating body shall recommend to Council only one person for each vacant position.

Alternatives:

In addition to the candidate recommended to Council for appointment, the nominating body is encouraged to identify a number of alternatives for first consideration when/if a vacancy occurs during the term. If a vacancy occurs before the end of the term, the Municipal Clerk's Office will contact identified alternatives to verify continued eligibility and interest and forward the information to the nominating body for their nomination to Council.

## **6.6 Reporting to Council**

The names of individuals recommended for appointment will be submitted to Council under Confidential Cover along with the names and bios (brief summary of biographical information) of all eligible applicants considered for the nomination body for the position.

If Council wishes to discuss the recommended nominees, it shall do so In-Camera.

The name and bio of the successful appointees will become public once Council has approved the appointments.

Other personal information about an individual will only be disclosed where the individual has agreed to such disclosure.

## **6.7 Communications following the Appointments**

When Council or Community Council, or other delegated authority, makes an appointment the Office of the Municipal Clerk shall immediately advise all applicants of the status of their applications, thanking all applicants for their interest. All applications shall be acknowledged after Council has made their appointments to the boards (ABCs).

Following the Council appointments or nominations to an external body the Office of the Municipal Clerk shall;

- a) In a letter to the external body, advise them of Council's appointment and request such body to provide HRM's appointee with information regarding the organization
- b) In a letter to HRM's appointee or nominee, confirmation of their appointment and suggestion that they may wish to follow-up with the external body to get information on board membership, including the body's Directors and Officers liability coverage for members of the board.

## **7 Privacy Issues and Conflict of Interest**

### **7.1 Members of Council – Potential Conflict of Interest**

Members of Council are governed by the Municipal Conflict of Interest Act. Members of Council who have a conflict of Interest or perceived a conflict of interest with respect to an applicant for a board appointment must declare the conflict at any meeting where they are present, and the matter is being discussed. Where the meeting is not open to the public (in-camera), Members of Council must declare the conflict and leave the meeting or the part of the meeting during which the matter is under consideration.

### **7.2 Information provided to Members of Council and designated Staff**



Only members of the nominating agency (Standing Committee or Community Council) and members of a designated staff panel or interview panel shall be provided with copies of the applications.

When nominations come forward members of Council are provided with the names and short bios of all eligible applicants. However, other members of Council who will be voting at Council when the nominations are considered by request to see the application.

### **7.3 Confidentiality Requirements and Obligations**

Members of the nominating body and Regional Council shall return all applications and related private and confidential material in their possession (including any list of applicants) to the Clerk once Council approves the appointments.

Members of Council or staff may not copy, disclose or otherwise disseminate information contained in any confidential list of applicants, or any application, confidential report or information received at in-camera sessions nor may they repeat any confidential information heard at those meetings.

The NS Freedom of Information and Protection of Privacy Legislation (FOIPOP) and the HRM Elected Officials Code of Conduct imposes confidentiality obligations on Members of Council and HRM staff to refrain from disclosing personal information and to protect the privacy of information obtained by them in the course of their duties.

## **8 Standards of Conduct for Agency, Board and Committee Appointees (ABCs)**

### **8.1 Orientation to New Board Members**

The Office of the Municipal Clerk and HRM staff shall arrange briefing session(s) to provide an initial orientation for all new and returning appointed members on the operation of the board and/or committee and HRM expectations.

In certain cases, new appointees may be required to attend mandatory training to enable them to carry out their responsibilities as members of the agency, board or committee.

### **8.2 General Standard of Conduct**

Members of the public who are appointed to an HRM board (ABC) shall serve and be seen to serve in a conscientious and diligent manner, and in a manner that accommodates access to services by HRM diverse communities, and is respectful of difference and diversity.

No member of an HRM agency, board or committee (ABC) shall use the influence of the office to which s/he is appointed for any purpose other than the exercise of official duties.

Members are expected to perform their duties in a transparent manner that promotes public confidence and will be close public scrutiny.

Members shall strive to serve the public interest by upholding both the letter and the spirit of the laws and policies established by the Federal parliament, Province of Nova Scotia and Halifax Regional Municipality.

Members of HRM's Agencies, Boards and Committees are subject to the Municipal Conflict of Interest Act.

### **8.3 Ceasing to Meet General Requirements**

Any board member who accepts an office or employment, or has a conflict of interest that is incompatible with continued service on the board (ABC), ceases to reside in HRM, or ceases to meet the general requirements of the appointment shall immediately notify, in writing, the board and the office of the Municipal Clerk. The Office of the Municipal Clerk shall notify the relevant nominating body.

### **8.4 Meeting Attendance Requirements**

Attendance requirements for members of HRM's boards are set out under HRM's Administrative Order #1 – Procedures of Council.

A member appointed by Council or Community Council, or Committee who fails to attend three (3) consecutive meetings of the committee without having been excused by resolution of committee shall be deemed to have resigned from the Committee.

Under those conditions, the position may be declared vacant and the board or committee shall immediately notify the Office of the Municipal Clerk, who shall notify the relevant nominating body to fill the vacancy that has occurred.

### **8.5 Assessment Process**

Board members and the boards (ABCs) as a whole may undergo an evaluation process during the term.

The evaluation will be coordinated through the Office of the Municipal Clerk and may include an evaluation where members are assessed by Councillors on the Board and/or Senior Staff that interact with the board or other relevant contacts.

As part of the assessment attendance, level of participation, board work plan and outcomes against the Terms of Reference should be considered.

Results of the evaluations will be reported by the Office of the Municipal Clerk to the nominating body (Standing Committee or Community Council) and/or Regional Council.

Boards and Committees will be reviewed at the beginning of the term of each new Council or at other times at the sole discretion of Council.

Adopted by Halifax Regional Council – August 2, 2011  
Revised by Halifax Regional Council – March 27, 2012  
Revised by Halifax Regional Council – July 23, 2013  
Revised by Halifax Regional Council - April 15, 2014  
Revised by Halifax Regional Council - August 14, 2018

## **Attachment 3 – Engagement Activities**

### ***Board, Committee and Commission Volunteer Survey***

In 2019 the results of a survey of existing volunteers was compiled by the Clerk's Office. The survey included responses from 51 volunteers across 16 boards and committees. When asked about the appointment process, 84% of volunteers responded positively. As part of the survey volunteers were also able to provide a list of weakness which are outlined below:

#### Weaknesses:

- Very long turnaround between time of application and appointment notification;
- Lack of clarity on how or why the applicant is appointed over others;
- Boards and committees are not well defined, leading the applicant to question what is and is not relevant to include in their application;
- The process is not transparent enough to ensure an avoidance of conflicts of interest;
- References should be requested. Current board members feel that they have no opportunity to inform the nominating bodies of their knowledge;
- Further clarity over what will be expected of you if you are appointed;
- Lack of clarity over tenure;
- Amend the "more than 1 advisory board rule" so that current board and committee members can be considered for unfilled vacancies when there are insufficient applicants; and
- Appointing board members based off region or background is not as important as having loyalty and commitment to the board.

### ***Member of Council Interviews***

In the Fall of 2019, members of Council were offered the opportunity to be interviewed on the public appointment process as part of the staff review board work. Six members responded and were asked various questions about the existing policy and appointment process.

#### Positives of the policy and process included:

- Promotion of diversity and designated seats on committee is good;
- Interview panels for external appointments;
- Noticing a trend of younger applications which was seen as positive for future of committees and eventual Chair and Vice-Chair appointments;
- Matrix tool in appointment reports very useful when review applications; and
- Cover letters were a helpful tool in assessing applicant's level of interest.

#### Concerns of the policy and process included:

- Insufficient communication and follow up to applications including needed more overall communication, need for clearer expectations of the process and better recognition especially when not successful;
- Application process intimidating for both Councillors and the public. Need for simplified language.
- Councillors receive overwhelming amount of information;
- Better targeted recruitment sometimes needed;
- Review of treatment of incumbent members especially for external boards and committees;
- Debriefing outgoing board and committee members on their experiences;
- Need to ensure that there is sufficient rural representation in the recruitment advertising campaigns; and

- A way to sign up to stay engaged / hear about future opportunities through an e-mail list for those who were unsuccessful.

When asked **“Would you prefer to see the public apply to only 1 board or committee instead of 3?”** Most of those interviewed expressed the view that the 3 preferences should be eliminated altogether, or at least reduced to 2 as many use the preference rankings as a screening tool.

### ***Public Survey***

The public Survey through Shape Your City was open from August 1-19, 2019. The survey had 559 visitors to the page and 455 responded to the survey. Of the responders 346 (76.2%) had previously applied to volunteer on a municipal board or committee. Many of results from the public survey were positive however there was also indications of some of the pain points in the current process including:

- Application form was difficult to find or access;
- Application form did not ask for enough information;
- Lack of information on the board / committee;
- No sense of purpose to the work;
- Lack of clarity around the application and/or appointment process.

All respondents were asked to name the top 3 values of the appointment process that was most meaningful and the top responses were:

1. Transparency
2. Fair and non-biased
3. Communication and Updates

Finally, when asked to indicated barrier to volunteering on a board or committee the top responses were:

1. Lack of information on the board/committee
2. Availability
3. Feeling unqualified

### ***Youth Advisory Committee Consultation***

Consultation was done with the Youth Advisory Committee (YAC) on June 17, 2019. This committee was selected as it was relatively new and members had just gone through a recruitment process.

In terms of their experience with the process a summary of results were:

- The majority of members heard of YAC through word of mouth;
- They found the application form was a good length and appreciated the opportunity to list diversity information, as that was noted as the greatest value members bring to the committee;
- The process was lengthy. Members applied in November, interviewed in January, and were appointed in February.

When asked on Ideas to improve the appointment process a summary of results were:

- Knowledge of the process and updates (example: receive a visual of the process steps in the email that confirms receipt of their application)
- Group interviews, or group training sessions to allow for networking and socializing prior to appointments. If an applicant was not shortlisted they would have still benefited from the training opportunity.
- In order to make volunteers feel more a part of the HRM, e-newsletters or notifications on the latest news from the Municipality would be helpful so that they feel in the loop.