Agenda - Council - December 14, 2005

Report – Executive Policy Committee – December 7, 2005

Item No. 1 Red Tape Commission Recommendations –
No. 28 - "Improve Impact Statements in Public Service Reports"
File GG-5

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On December 7, 2005, the Executive Policy Committee concurred in the administrative recommendation and submits the following to Council:

1. That the format and process for Administrative Reports be amended in a manner consistent with the intent of Recommendation 28 in the Report of the Red Tape Commission dated June 28, 2005, and that key stakeholder organizations be made aware of these changes.

2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Reports – Executive Policy Committee – December 7, 2005

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On December 7, 2005, the Executive Policy Committee concurred in the administrative recommendation and submitted the matter to Council.

On October 19, 2005, the Executive Policy Committee laid over consideration of the matter for sixty (60) days.

On July 20, 2005, the Executive Policy Committee referred to the Chief Administrative Officer for review and recommendation the following first phase recommendation of the Red Tape Commission, said report to be submitted to the Executive Policy Committee for consideration in September 2005, namely:

- Recommendation 28
  Consult with stakeholders on techniques to improve impact statements in public service reports to Council wherever possible, helping to prevent red tape before it happens.

REPORT

Re: **Red Tape Commission Report: Recommendation 28 – "Improve Impact Statements in Public Service Reports"**

For submission to: **Executive Policy Committee**

Original report signed by: **Chief Administrative Officer**

Report date: November 18, 2005

Recommendation(s):

1. That the format and process for Administrative Reports be amended in a manner consistent with the intent of Recommendation 28 in the Report of the Red Tape Commission dated June 28, 2005, and that key stakeholder organizations be made aware of these changes.
2. That the Proper Officers of the City of Winnipeg be authorized to do all things necessary to implement the intent of the foregoing.

REPORT SUMMARY

Key Issue:

Balancing consultation with expediency. It is the general perception that "red tape" leads to time wasted in unnecessary process. This recommendation is intended to identify and mitigate the creation of "red tape" by providing stakeholders the opportunity for early input into proposals dealing with regulatory reform.

Implications of the Recommendation(s):

General implications:

	None
X	**For the organization overall and/or for other departments**
X	**For the community and/or organizations external to the City of Winnipeg**
	Involves a multi-year contract

Comment(s):

These recommendations will result in new opportunities for public input into regulatory reform processes and will compel Departments to ensure that such consultations have taken place.

Policy implications:

X	**No**
	Yes

Comment(s):

Consistent with Council policy (Plan Winnipeg 2020 Vision, 2A-01: Commit to Citizen Engagement).

Environmental implications:

X	**No**
	Yes

Comment(s):

Human Resources implications:

X	**No**
	Yes

Comment(s):

Financial implications:

X	**Within approved current and/or capital budget**
	Current and/or capital budget adjustment required

Comment(s):

REASON FOR THE REPORT:

At its meeting of July 20, 2005, Executive Policy Committee received as information the Final Report of Mayor's Red Tape Commission dated June 28, 2005. Furthermore, EPC referred to the Chief Administrative Officer for review and recommendation a series of first phase recommendations of the Red Tape Commission, one of which was Recommendation 28, namely:

Recommendation 28
Consult with stakeholders on techniques to improve impact statements in public service reports to Council wherever possible, helping to prevent red tape before it happens.

It was directed that the report be submitted to Executive Policy Committee for consideration in October 2005.

HISTORY:

On November 23, 2004, the Mayor officially established his Red Tape Commission, chaired by Councillor Franco Magnifico, to review City operations and regulations in order to improve customer service while granting administrators more freedom to innovate.

On June 28, 2005, the Red Tape Commission completed its work and submitted its final report containing 30 general recommendations with numerous more detailed recommendations beneath them.

DISCUSSION:

The Goal

Under Recommendation 28 in the Red Tape Commission's Report dated June 28, 2005, the goal is stated as follows:

"Our goal is to use the existing public service report system as a form of "regulatory impact statement", allowing citizens and businesses early input into regulatory proposals."

Response:

The administration is supportive of this goal.

From time to time reports come forward that propose new regulations or that propose changes to existing regulations. The goal of Recommendation 28, as expressed by the Commission, is to allow early input by the public into these regulatory reform proposals to ensure that the potential impact in the community is understood. Presumably, by having the opportunity for early input, the public could identify unforeseen effects of the proposal and could bring forward amendments that would minimize the creation of additional "red tape". Provided these proposed amendments do not jeopardize the intent of the regulation, the result would be a better solution for all concerned.

In order for the goal to be realized the Commission is recommending that efforts be made to inform the public of the format and process used in preparing administrative reports and, in particular, of the opportunity for input into it. Since administrative reports are intended to provide, among other things, a summary impact statement, the administration is supportive of actions that would serve to improve that assessment. Therefore, the administration is proposing changes to both the format and process of administrative reports in order to promote awareness while encouraging and monitoring public input into reports that deal with regulatory proposals.

Proposed Strategy:

1. *Improving the report format*

It is proposed that the administration's standard report format be amended in two ways. These proposed changes would be the subject of a revised Administrative Directive on Reports (AD-002) and could take the form of the following additional considerations:

a.) Within the "Report Summary" section and under the "Implications of the Recommendations" there currently are 5 categories of implications which, collectively, comprise a summary impact statement. These include general implications, policy implications, environmental implications, human resource implications, and financial implications. It is proposed that a sixth category be added to cover "Regulatory Implications". This would identify those instances where a recommendation in the report would result in the creation of a new regulation or change an existing regulation. This

amendment to the Reports Directive would include a definition of “regulation” and would appear on page B-8 in a manner similar to:

> ***Regulatory Implications:***
>
> __ *None*
>
> __ *Amends an existing regulation (by-law)*
>
> __ *Proposes a new regulation (by-law)*
>
> __ *Proposes other regulatory impact*
>
> *Comment:*
>
> *[If other than the first box above is ticked then the comment section should briefly identify stakeholders that have been consulted and the results of those consultations. For this purpose, “regulation” refers to a City of Winnipeg by-law that establishes requirements for an industry, trade, or profession and that includes some form of City approval or authorization.]*

b.) In those instances where a report recommendation has regulatory implications, a fuller explanation should be provided within the Discussion section of the Administrative Report. Therefore the Reports Directive should be amended further to include on page B-9 a clause similar to:

*With respect to **Regulatory Implications** of the recommendation(s) please address:*

- *Which community organizations are likely to be affected*
- *The extent to which community consultations have taken place*
- *The results of those consultations*

The directive would also define the term “regulation” and clarify expectations associated with community consultations.

2. Improving the report process

It is proposed that informal stakeholder consultations be an inherent part of any proposal related to regulatory reform. As indicated above, in those cases where a recommendation in an administrative report could have an effect on City regulations there should be an expectation that some informal consultation with stakeholders has taken place and that the result of those consultations is documented within the report.

By informal, it is intended that this requirement not be mandated by by-law or legislation, rather that it be conducted between City staff and various organizations or members of the public as appropriate. It is driven by the requirement to include documentation of this consultation within the new report format. This informal consultation would precede and complement any formal consultation inherent within the approval process such as public representations at standing policy committee meetings.

3. Creating awareness

It is proposed that key stakeholder organizations be notified of the change in the format of administrative reports as a result of the recommendations of the Red Tape Commission. They should be made aware of the opportunity to provide early input into any regulatory changes that are being contemplated. The method of notification should include direct contact to individual stakeholder organizations as well as a general notification on the City web site. This notification should proceed immediately following the implementation of the amended report format.

The list of stakeholder organizations should be gleaned from past records by identifying those organizations with a history of interest in regulatory reform processes as determined by attendance at public hearings.

Responsibility:

CAO Secretariat for item 1 above.

All Departments for item 2 above, following an Administrative Directive.

City Clerk's Department for item 3 above.

Timeline:

Changes in place by January 2006.

Financial Impact Statement

Date: September 7, 2005

Project Name:

Red Tape Commission Report: Recommendation 28

First Year of Program: 2005

	2005	2006	2007	2008	2009
Capital					
Capital Expenditures Required	$ -	$ -	$ -	$ -	$ -
Less: Existing Budgeted Costs	-	-	-	-	-
Additional Capital Budget Required	$ -	$ -	$ -	$ -	$ -
Funding Sources:					
Debt - Internal	$ -	$ -	$ -	$ -	$ -
Debt - External	-	-	-	-	-
Grants (Enter Description Here)	-	-	-	-	-
Reserves, Equity, Surplus	-	-	-	-	-
Other - Enter Description Here	-	-	-	-	-
Total Funding	$ -	$ -	$ -	$ -	$ -
Total Additional Capital Budget Required	$ -				
Total Additional Debt Required	$ -				
Current Expenditures/Revenues					
Direct Costs	$ -	$ -	$ -	$ -	$ -
Less: Incremental Revenue/Recovery	-	-	-	-	-
Net Cost/(Benefit)	$ -	$ -	$ -	$ -	$ -
Less: Existing Budget Amounts	-	-	-	-	-
Net Budget Adjustment Required	$ -	$ -	$ -	$ -	$ -

Additional Comments:

No additional financial implications associated with this report.

(Original signed by R. Abeysekera)
Manager of Finance & Administration
Corporate Services Dept.

IN PREPARING THIS REPORT, THERE WAS CONSULTATION WITH AND CONCURRENCE BY:

City Clerk's Department

THIS REPORT SUBMITTED BY:

CAO Secretariat
Division: Strategic Management
Prepared by: Gerry Couture
File #: