Agenda – Council – December 14, 2016

Report – Executive Policy Committee – December 7, 2016

Item No. 2 Annual Evaluations of City Council's Four Statutory Officers

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On December 7, 2016, the Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and submitted the following to Council:

1. That a Performance Management Sub-Committee be established, consisting of four councillors with at least one being a current member of Executive Policy Committee, to be appointed annually by the Mayor at the Organizational Meeting of Council.

2. That the responsibility for the development and facilitation of the annual performance review process be delegated as outlined in Appendix "B".

3. That amendments to the In Camera By-law (draft attached as Appendix "A") be enacted that will permit Council to meet in camera pursuant to the same criteria as other committees of Council.

4. That the Proper Officers of the City do all things necessary to implement the intent of the foregoing.

Report – Executive Policy Committee – December 7, 2016

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On December 7, 2016, the Executive Policy Committee concurred in the recommendation of the Winnipeg Public Service and submitted the matter to Council.

COUNCIL DECISION:

On November 16, 2016, Council concurred in the November 9, 2016, recommendation of the Executive Policy Committee and granted a further extension of time of 30 days for the Winnipeg Public Service to report back on the matter.

On October 26, 2016, Council concurred in the October 19, 2016, recommendation of the Executive Policy Committee and granted an extension of time of 30 days for the Winnipeg Public Service to report back on the matter.

On April 27, 2016, Council concurred in the April 20, 2016, recommendation of the Executive Policy Committee and adopted the following:

1. That the Public Service report back within 120 days to Council with recommendations for a process and implementation plan to implement annual evaluations of City Council's four statutory officers with the maximum authority under the existing Charter, which report shall include;

    A. a review of best practices in other jurisdictions;
    B. human resource and labour relations implications;
    C. budgetary implications;
    D. legal implications; and
    E. all other relevant considerations.

Report – Executive Policy Committee – December 7, 2016

DECISION MAKING HISTORY (continued):

COUNCIL DECISION (continued):

On March 23, 2016, Council ruled automatic referral of the following motion to the Executive Policy Committee:

Moved by Councillor Allard,
Seconded by His Worship Mayor Bowman,

WHEREAS March 25, 2015, our Chief Administrative Officer, Doug McNeil, who is a statutory officer of the City of Winnipeg, will have been appointed unanimously by Council for the period of one year;

AND WHEREAS City Council is responsible for the hiring of four statutory officers including the Chief Administrative Officer (CAO), the City Clerk, the Chief Financial Officer and the City Auditor;

AND WHEREAS in November 2014, Executive Policy Committee received a motion from the Riel Community Committee calling for annual evaluations of the CAO and later referred this to the Mayor's Office for advice at the January 14, 2015 meeting of Executive Policy Committee;

AND WHEREAS it is a recognized best practice and standard Human Resources and City of Winnipeg Human Resources Practice to include evaluation clauses in employment agreements;

AND WHEREAS this Council was elected to improve accountability at City Hall, and that confirmation of annual evaluation of statutory officers will reassure Council and the public with concrete actions that our statutory officers are offering excellent service to Council and the public;

THEREFORE BE IT RESOLVED THAT the Public Service be requested to report back within 120 days to Council with recommendations for a process and implementation plan to implement annual evaluations of City Council's four statutory officers with the maximum authority under the existing Charter, which report shall include;

(i) a review of best practices in other jurisdictions;
(ii) human resource and labour relations implications;
(iii) budgetary implications;
(iv) legal implications; and
(v) all other relevant considerations.

ADMINISTRATIVE REPORT

Title: Annual Evaluations of City Council's Four Statutory Officers

Critical Path: Executive Policy Committee – Council

AUTHORIZATION

Author	Department Head	CFO	CAO
R. Marsh	R. Marsh, Senior Manager, Human Resource Services / K. Boryskavich	N/A	D. McNeil

EXECUTIVE SUMMARY

The Public Service recommends that a Performance Management Sub-Committee of Council be created to oversee the implementation and facilitation of annual performance evaluations of statutory officers. The committee, comprised of four Councillors, at least one of which would be a member of Executive Policy Committee (EPC), would develop key focus areas and goals for each statutory officer that align with Council priorities that would then be submitted to the Appropriate Supervisory Body (as hereinafter defined) for its approval, and prepare the broad performance expectations for each statutory officer.

At the end of the predefined evaluation period, the Performance Management Sub-Committee would be responsible for collecting comprehensive feedback from appropriate stakeholders as part of a 360-degree performance review of each officer. The results would be analyzed and compiled into a performance report that would be provided to the Appropriate Supervisory Body for its review and assessment and would form part of the performance evaluation and feedback provided to the relevant statutory officer by the Appropriate Supervisory Body.

The performance report would include two deliverables – an internal performance evaluation and an external performance summary that tracks the completion status for each statutory officer performance review, which would form part of a Public Report Card. The Report Card could assist Council in its commitments to improve accountability at City Hall, and provide confirmation that statutory officers are meeting expectations and delivering excellence in public service to Council and citizens.

RECOMMENDATION(S)

1. That Council establishes a Performance Management Sub-Committee, consisting of four councillors with at least one being a current member of Executive Policy Committee, to be appointed annually by the Mayor at the Organizational Meeting of Council:

2. That Council delegate responsibility for the development and facilitation of the annual performance review process as outlined in Appendix "B".

3. That Council enact amendments to the In Camera By-law (draft attached as Appendix "A") that will permit Council to meet in camera pursuant to the same criteria as other committees of Council.

4. That the Proper Officers of the City do all things necessary to implement the intent of the foregoing.

REASON FOR THE REPORT

On April 20, 2016, Executive Policy Committee provided the following direction:

1. That the Public Service report back within 120 days to Council with recommendations for a process and implementation plan to implement annual evaluations of City Council's four statutory officers with the maximum authority under the existing Charter, which report shall include;
    a. a review of best practices in other jurisdictions;
    b. human resource and labour relations implications;
    c. budgetary implications;
    d. legal implications; and
    e. All other relevant considerations.

Further extensions were provided at the October and November meetings of EPC.

IMPLICATIONS OF THE RECOMMENDATIONS

The recommendations in this report provide a framework for annual performance review of the City's statutory officers, and would delegate to the Performance Management Sub-Committee the function of implementing the annual performance review process.

Human Resource Services will work to support the Performance Management Sub-Committee to define the performance assessment period, implement and facilitate the process, and to identify appropriate resources as required.

The legal supervisory authority over statutory officers is as follows (Council, Executive Policy Committee, and the Chief Administrative Officer each being an "Appropriate Supervisory Body" as set forth below):

- Council retains authority to supervise the City Auditor;

- Executive Policy Committee has been delegated authority to supervise the Chief Administrative Officer and the City Clerk; and
- The Chief Administrative Officer has been delegated authority to supervise the Chief Financial Officer.

In order for Council to receive and discuss the internal performance review for the City Auditor, it is necessary for Council to have the ability to meet in camera to do so. Appendix "A" provides a proposed amendment to the In Camera By-law to allow Council to meet in camera for this and other purposes. The proposed By-law amendments also set out a process for determining who may attend in camera meetings.

HISTORY/DISCUSSION

On April 20, 2016, Executive Policy Committee directed the Public Service to provide recommendations and a plan to implement annual performance evaluations for the City's four statutory officers (City Auditor, Chief Administrative Officer, Chief Financial Officer, and City Clerk).

To support Council, Executive Policy Committee, and the Chief Administrative Officer in their supervisory functions, it is recommended that a sub-committee of Council be created to oversee and facilitate the implementation and delivery of the annual performance review process for the statutory officers. The committee, appointed by the Mayor, would be comprised of four councilors, at least one of which would be a member of EPC.

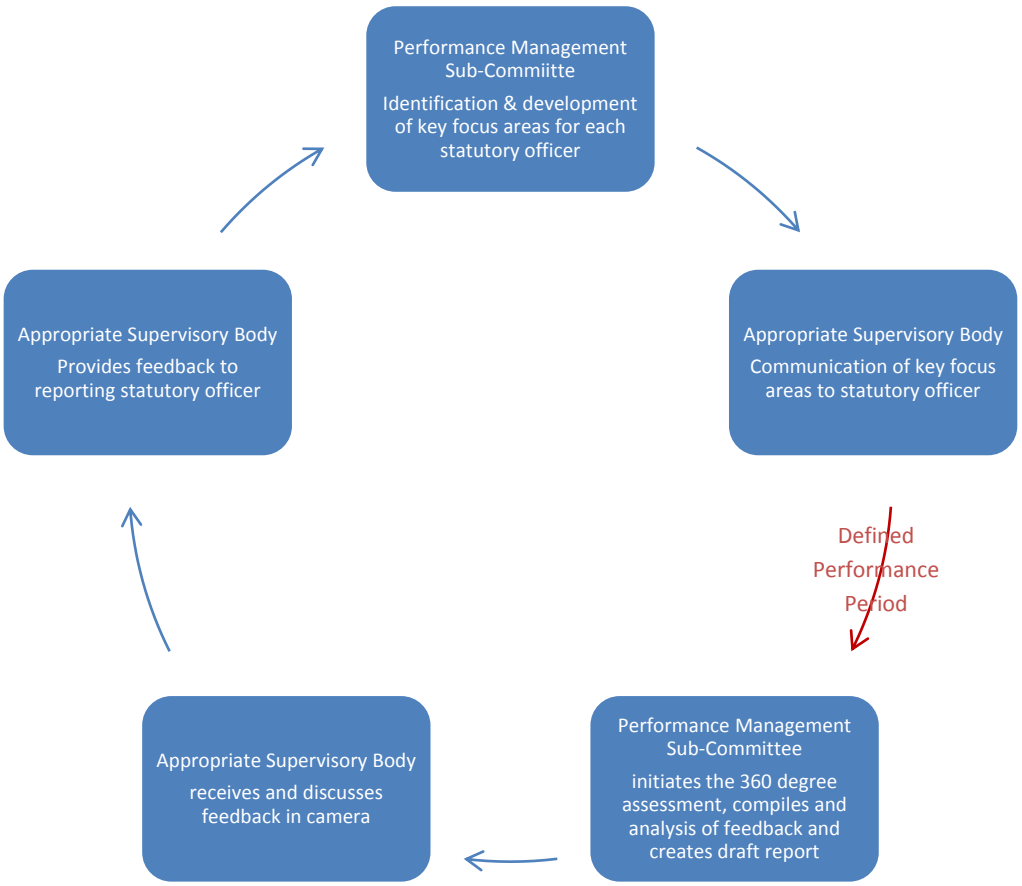
It is recommended that the mandate of the Performance Management Sub-Committee is to support Council, Executive Policy Committee and the Chief Administrative Officer in its supervisory functions by developing key focus areas and goals that align with Council priorities and strategic direction for each of the statutory officers and to prepare the performance expectations in a format to assist Council, Executive Policy Committee, and the Chief Administrative Officer communicate them to the relevant statutory officer.

The City's existing performance management system, PeopleSoft, would be used to document and record the officer's performance goals, objectives, and expectations. The City's performance management system provides secure confidential electronic access by the Appropriate Supervisory Body at all stages of the process for current supervisory functions and for future reference and comparison.

Performance assessment supports employee development, and continuous learning. The information gathered during the performance management process can also be used to support succession planning.

Results of an environmental scan identified both the City of Edmonton and the Province of Manitoba currently engaged in a similar model and methodology. Both models employed the use of external consulting services to develop 360-degree performance assessment; to collect and analyze the feedback from appropriate stakeholders; and to compile draft performance reports to support the Appropriate Supervisory Body conduct its review and performance assessment of its direct report, the statutory officer.

Mechanics of the Performance Evaluation



FINANCIAL IMPACT

Financial Impact Statement **Date:** November 17, 2016

Project Name:

Annual Evaluations of City Council's Four Statutory Officers

Comments:
There are no financial implications associated with the recommendations in this report.

Original signed by R. Hodges
Ramona Hodges
Manager of Finance (Campus)
Corporate Finance Department

CONSULTATION

In preparing this report there was consultation with:

- City of Winnipeg, Legal Services Department
- City of Winnipeg, Corporate Finance Department

OURWINNIPEG POLICY ALIGNMENT

01-3 Prosperity - Direction 1: Provide efficient and focused civic administration and governance.
Enabling Strategies:

- Demonstrate accountability through service performance measurement and reporting
- Support a competent, productive and healthy workforce through strategic human resource planning that promotes flexible human resource systems, invests in human resource development and is based on values of equity, diversity, innovation and accountability

SUBMITTED BY

Department:
Division: Senior Manager of Human Resource Services
Prepared by: R. Marsh
Date: November 22, 2016

Attachments:

Appendix A - A By-law of The City of Winnipeg to amend the In Camera By-law No. 21/2011



Appendix A - In Camera By-law Amen

Appendix B – Roles, Responsibilities & Authorities



Statutory Officer Performance Apprais