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To: Toronto Public Library Board – February 16, 2004

From: City Librarian

Subject: **Toronto Public Library Board: Governance and Civic Engagement**

Purpose:

To provide the Toronto Public Library Board with an update on the governance issues addressed to date and to seek approval for a further phase that addresses civic engagement/public participation.

Funding Implications and Impact Statement:

None.

Recommendation:

It is recommended that the Toronto Public Library Board develop appropriate policies and practices with respect to civic engagement as part of its approach to good governance.

Background:

Governance Issues Addressed at Amalgamation

Prior to amalgamation in 1998, a governance review was undertaken for the soon to be formed Toronto Public Library Board. This review was extensive in its work and covered the following:

- Mission statement and core values;
- Size and composition of the Board;
- Qualifications of the Board members;
- Rules regarding re-appointment;
- Procedures for filling vacancies on the Board;
- Disqualification; and
- Reimbursement of expenses.

Subsequently, a number of governance issues were formalised. A governance structure was adopted by City Council as reflected in By-Law No. 255-1998, which outlined the size and composition of the Toronto Public Library Board.

Procedural by-laws were developed and first approved by the Toronto Public Library Board at its meeting of January 15, 1998 and have been amended on five subsequent occasions. The procedural by-laws outline the roles and responsibilities of the officers of the Board, election procedures, and how meetings and business will be conducted by the Board including the public nature of all Board meetings with certain prescribed exceptions. Conflict of interest guidelines for Board members are also included in the procedural by-laws.

Governance Issues Addressed Since Amalgamation

During the first two terms of the Board, additional governance issues were addressed. From a service and strategy perspective, a policy work program has been developed which has led to Board approval of several major service policies, including those governing the circulation and use of materials, library materials selection, Internet use, room rentals and Rules of Conduct. A program for the regular review of these policies has been developed and the Board has approved a number of such reviewed policies. In addition a three-year strategic plan to guide Board activities was developed and approved and a second strategic plan is currently being developed. Annual reports have been produced which report on the outcomes of the strategic plan and performance measures.

Administrative policies and controls have been formulated and approved including the Financial Control Policy (approved in June 2003 by the Board and City Council), Expense Claim, Conflict of Interest governing library employees, Fraud and other Similar Irregularities, Lobbying Disclosure: Certain Requests for Proposals and Tender/Quotation Calls and the Selection and Hiring of Professional and Consulting Services. The Library has closely monitored City developments in this area, and has frequently adopted policies or practices that are appropriate for the library environment. As with the major public service policies, administrative policies and practices are also scheduled for periodic review. A number of practices and procedures to safeguard financial assets and minimize risk have also been developed. These include regular budget monitoring reports to the Board, annual external audits, cash handling procedures, internal petty cash reviews, purchasing and procurement training for library staff and an annual review of management control.

City of Toronto Governance Initiatives

In addition to the work undertaken by the Library Board, the City of Toronto has addressed a number of governance issues for agencies, boards, and commissions as a result of the work of the ABC Ad Hoc Committee. These include board composition, selection criteria, and remuneration. The content of this work was outlined in a report presented at the Library Board's meeting of December 15, 2003. As a result of this review, Council approved changes to the composition of the Library Board as well as a remuneration policy.

The City has also requested that the Board adopt a public access and involvement policy which has two essential elements, one of the public's right to access information and the other being the need for civic engagement on library service. The City has also announced its intention to develop a directives document that will describe and codify the relationship between the Toronto Public Library Board and the City of Toronto. The development of the document is intended to

be collaborative and consensual. A timetable for the development of a directive for the Library Board has not been identified.

Comments:

Definition

The City of Toronto recently undertook a Council Governance Review that examined various local government models. As background to that work a discussion document was produced which defines governance as:

*.....the exercise of political and administrative authority to manage the affairs of the City. It comprises the mechanisms, processes and structures through which **residents of the City articulate their interests**, exercise their legal rights, meet their obligations and mediate their differences.*

Governance Principles

The discussion document also outlines governance principles for the local level, as developed by the United Nations. These are:

- Participation
Participation by both men and women is a key cornerstone of good governance. Participation can be either direct or through legitimate intermediate institutions or representatives. Participation must be informed, organized and should take into account a society's diversity.
- Rule of Law
Good governance requires fair legal frameworks that are enforced impartially and requires the full protection of human rights.
- Transparency
Transparency means that decisions taken and enforced are undertaken in a manner that follows rules and regulations. It means that information is freely and directly accessible to those who will be affected by such decisions and their enforcement and that enough information is provided in an understandable form.
- Responsiveness
Good governance requires that institutions and processes try to serve all stakeholders within a reasonable timeframe.
- Consensus Oriented
There are many views in any given society. Good governance requires mediation of different interest to reach a broad consensus on what is in the best interest of the whole community and how this can be achieved.

- Equity and Inclusiveness
A society's well being depends on ensuring that all members feel they have a stake in it, do not feel excluded, and have opportunities to improve or maintain their well-being.
- Effectiveness and Efficiency
Good governance means that processes and institutions produce results that meet the needs of society while making the best use of resources at their disposal.
- Accountability
Accountability is a key requirement of good governance. Organizations must be accountable to the public and to their institutional stakeholders. In general, an organization or institution is accountable to those who will be affected by its decisions or actions. Accountability cannot be enforced without transparency and the rule of law.

Both the definition of governance and the majority of the governance principles, as adopted by the City, speak directly to the need for engaging the public in the decision-making process.

Key Responsibilities Of The Board With Regard To Civic Engagement/Public Consultation

The Toronto Public Library Board's broad responsibilities are outlined in the *Public Libraries Act R.S.O. 1990 Chapter P.44* and Section 20 of the Act states that the Board is to "...provide a comprehensive and efficient public library service that reflects the community's unique needs". Public participation in public library governance is embedded in the legislative framework of the *Public Libraries Act* with the requirement that citizens be the majority of Library Board members. The *Act* also makes provision for Board meetings to be open to the public and for the public to make deputations to the Board.

The City of Toronto has articulated the Library Board's responsibilities in the May 23rd, 2003 Council report *Toronto Library Board Composition*. One of the responsibilities is outlined as follows:

- Works with the Library's professional staff to develop strategic plans, goals and policies for the Library **based upon community needs**, and ensures that these plans are efficiently and effectively implemented;

Civic engagement, as an important component of effective governance, has been defined by the City of Toronto as "... the process of interaction between government and citizens to facilitate active community involvement in the operation of the City". The City has recommended that all ABC's develop policies that encourage public access and involvement in the decision-making process of Boards. The City's recommended policy addresses such issues as public meetings, annual reports, media relations, and access to information requirements. Currently, the Library Board has an approved Communications Policy and follows the requirements of the *Municipal Freedom of Information and Protection of Privacy Act*.

Beyond the legislative framework and requirements as laid down by the City, the Toronto Public Library Board has created opportunities for citizens and stakeholders to have input into library

services and programs. In both strategic planning initiatives undertaken to date, consultation has played a central role. In addition, all capital projects are implemented with public consultation. Through a variety of formal and informal methods including public meetings, open houses, public opinion surveys and ongoing feedback and comment, the Board provides other opportunities for civic engagement.

Further work needs to be done in developing public consultation and engagement policies and strategies in order to ensure continuity and consistency in approach to consultation initiatives. Given the legislative requirements, the direction that the City is taking with regard to civic engagement and the general increasing interest in democratization of Canadian society, it is recommended that the Board develop appropriate policies and practices with respect to civic engagement as part of its approach to good governance.

Conclusion:

The Toronto Public Library Board has addressed many governance issues at the time of amalgamation and during its first two terms. Addressing civic engagement in public library services would be the logical extension of the governance review process.

It is recommended that the Board develop appropriate policies and practices with respect to civic engagement as part of its approach to good governance.

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List of Attachments:

None.