

Toronto Public Library Policy Development Framework

Date:	April 25, 2022
To:	Toronto Public Library Board
From:	City Librarian

SUMMARY

The purpose of this report is to present a Toronto Public Library Policy Development Framework to the Toronto Public Library Board for approval.

The Framework supports the Board's role in good governance, openness, transparency, and oversight by codifying and improving existing processes and practices used for making policy decisions at the Toronto Public Library (TPL) as part of organizational transformation and service excellence.

The Framework advances the following broad outcomes:

- Understanding of how TPL:
 - Upholds the Canadian Charter of Rights and Freedoms, and fulfills its obligations under the Ontario Human Rights Code and legislative responsibilities under the Public Libraries Act;
 - Advances its vision, mission, and values, and strategic priorities and operations;
 - Embodies the universal obligations of public libraries outlined in the International Federation of Library Associations (IFLA)/ United Nations Educational, Scientific and Cultural Organization (UNESCO) Public Library Manifesto and associated United Nations treaties ratified by Canada;
- Public transparency and due diligence in policy development, approval, compliance, and review;
- Organizational transformation, capacity building, and process improvement and excellence, including documentation and clear policy accountability;
- Alignment and support for key City of Toronto strategies and directions as appropriate; and
- Embedding an accessibility by design approach to ensure policies meet the needs of persons with disabilities.

The Framework supports the Board in protecting the public's right to access a broad range of human knowledge, experience, information, and ideas in a welcoming and supportive environment, and to respond to the unique and changing needs of the diverse residents and communities of Toronto.

RECOMMENDATIONS

The City Librarian recommends that the Toronto Public Library Board:

1. Approve the Toronto Public Library Policy Development Framework as included in Attachment 1 as a guide to policy development at the Toronto Public Library.

FINANCIAL IMPACT

There is no financial impact beyond what has already been approved in the current year's budget.

The Director, Finance & Treasurer has reviewed this financial impact statement and agrees with it.

ALIGNMENT WITH STRATEGIC PLAN

The Framework advances TPL's strategic priority of providing the vital ingredients for a democratic society. By outlining how and why TPL makes policy decisions, it ensures there is accountability and transparency in decision-making, advancing the role of the public library in contributing to a free and just democratic society.

EQUITY IMPACT STATEMENT

The Framework commits TPL to applying an equity, inclusion, and accessibility lens as one of the overarching principles of policy development, ensuring that equity-deserving groups benefit from policy initiatives, and that policies do not create unnecessary barriers for them.

COMMENTS

The Framework supports the Board's role in good governance, openness, transparency, and oversight by codifying and improving existing practices used for making policy decisions at TPL as part of organizational transformation and service excellence.

The Framework is a comprehensive document that includes the following key features:

- Policy definition and categories, including policies that require approval by the Board and administrative policies that require approval by the Directors Committee or Directors HR Committee;
- Organization of policy documents impacting delivery of library services, including legislation, statements, the Strategic Plan, policies, standards, procedures, and guidelines;
- Enterprise center of excellence model for policy development with centralized processes and decentralized accountability based on area of expertise;
- Outline of overarching principles, including compliance with applicable legislation such as the Public Library's Act and the Access for Ontarians with Disabilities Act;
- Outline of consultation principles, as well as consultation and research methods;
- Six-stage process for policy development:
 - Initiation and issue definition
 - Consultation and research
 - Selecting a policy option(s)
 - Drafting and approval
 - Communication and implementation
 - Monitoring and review; and
- Standard timeline for policy review, including a minimum requirement of at least once every four years; and more frequently depending on legislative requirements or identified priority and risk factors.

Consistent application of the Framework will ensure that TPL's policies meets its legislative obligations, upholds the values of the public library, promotes best practices in public service governance, and advances comprehensive and efficient public library service that reflects the community's unique needs.

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SIGNATURE

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ATTACHMENTS

Attachment 1: Toronto Public Library Policy Development Framework

Toronto Public Library

Policy Development Framework



April 2022

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Introduction and Purpose

The Toronto Public Library Policy Development Framework (the Framework) outlines the requirements for policy development at the Toronto Public Library (TPL or the Library), including:

- The Library's obligations and authority;
- Why the Library develops policies;
- Policy categories and definitions;
- Roles and responsibilities; and
- The policy development process.

The following are broad outcomes that TPL anticipates from the implementation of the Framework:

- The public and staff understand how the Library:
 - Embodies the universal obligations of public libraries outlined in the International Federation of Library Associations (IFLA)/United Nations Educational, Scientific and Cultural Organization (UNESCO) Public Library Manifesto and associated United Nations treaties ratified by Canada;
 - Upholds the Canadian Charter of Rights and Freedoms, and fulfills its obligations under the Ontario Human Rights Code and the legislative responsibilities under the Public Libraries Act;
 - Advances its vision, mission, and values, as well as its strategic priorities and operations;
- Demonstrated transparency and due diligence in policy development, approval, compliance, and review; and
- Organizational transformation, capacity building, and process improvement and excellence, including proper documentation and clear policy accountability.

Background

Library services are a municipal service delivered through the Toronto Public Library Board (the Board), which is established by the City of Toronto (the City) under the Public Libraries Act, 1990 (PLA).

The Library has a long history of developing policies under TPL's long-term Strategic Plans (the Strategic Plan), which is approved by the Board. The Framework is one of several other strategic documents that contribute to the execution of the Library's priorities as outlined in the Strategic Plan, which is developed through a process that is steered by the Board, and which includes extensive consultation with the public, TPL staff, and other stakeholders.

To achieve greater collective impact, the Library often aligns with the City's policy positions on key issues, such as poverty reduction; however, TPL is ultimately accountable to the Board.

The Library also abides by universal conventions which, together with the PLA and the Canadian Charter of Rights and Freedoms (the Charter), guide TPL's work and position it as a pillar of democratic principles and intellectual freedom.

Rationale and Objectives

Specifically, the Framework advances the following objectives:

1. Champion the Library's vision, mission, service values, and strategic priorities by ensuring that policies and services are responsive to changing community needs;
2. Ensure that policies and other accompanying rules are clear, understandable, and accessible to people using the Library;
3. Embed an accessibility by design approach and a proactive equity and inclusion lens to policies impacting both the workplace and service environments to prevent, review, and remove systemic or service barriers to better meet the needs of equity-deserving groups, and, where possible, to ensure mitigation of adverse consequences for these groups;
4. Advance evidence-informed policy development and build the Library's internal capacity for consultation, research, and policy evaluation;

5. Encourage proactive and enterprise-level policy planning, development, and forecasting at the Library;
6. Support the achievement of the Library's strategic priorities by ensuring that resources are efficiently managed and risks are addressed;
7. Align and reinforce the Library's planning frameworks, strategies, and processes, including the digital strategy, accountability, risk management, change management, and business planning;
8. Ensure the Library meets relevant legislative requirements and aligns with City bylaws, strategies, and directions as appropriate, including Toronto's status as a sanctuary city where all residents have access to City services;
9. Enable the Library to achieve transparency and consistency in the way it approaches issues, i.e., how the Library codifies and promotes its values, including intellectual freedom, equity, inclusion, and accessibility;
10. Facilitate an understanding of the legislative framework and requirements underpinning TPL's policies, and the relationship between different policy documents, including statements, standards, procedures, and guidelines; and
11. Advance an inclusive high-performing workplace and service culture that enables the Library to thrive, adapt, and transform in response to a complex and changing environment.

Universal Obligations

As a member of the global public library community, TPL upholds the IFLA/UNESCO Public Library Manifesto¹, which highlights the role of libraries as vital democratic institutions in a global society. The Library also upholds the Charter, which protects the basic rights and freedoms of all Canadians, which are essential to preserving Canada as a free and democratic country. These rights include: equality of every person before and under the law; Indigenous people's rights; and the right to freedom of thought, belief, opinion, and expression, including freedom of the press and other modes of communication.

¹ For current information on the manifesto please see [IFLA/UNESCO Public Library Manifesto](http://ifla.org/public-libraries/manifesto)

TPL advocates with the broader public library community to ensure that international treaties and laws are consistent with these rights and principles, and that they support the role of the public library in providing free access to information. TPL endorses the position statement of the Canadian Federation of Library Associations' Statement on Intellectual Freedom and Libraries². The Library's policies codify and advance the above rights and values in appropriate policy documents.

The following are some relevant statements from United Nations treaties that have been ratified by Canada.

The United Nations International Covenant on Civil and Political Rights, Article 19.2: "Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers".

The United Nations Convention on the Rights of the Child, Article 13: "The child shall have the right to freedom of expression".

The United Nations Declaration on the Rights of Indigenous Peoples, Article 11: "Indigenous Peoples have the right to practise and revitalize their cultural traditions and customs. This includes the right to maintain, protect and develop the past, present and future manifestations of their cultures".

Article 31: "Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions.".

The United Nations Convention on the Rights of Persons with Disabilities, Article 21: "States Parties shall take all appropriate measures to ensure that persons with disabilities can exercise the right to freedom of expression and opinion, including the freedom to seek, receive and impart information and ideas on an equal basis with others and through all forms of communication of their choice".

² For current information on the statement please see [Statement on Intellectual Freedom and Libraries](#)

The Library's Authority

TPL derives its authority from various legislation, including the Public Libraries Act, the City of Toronto Act, 2006 (COTA), and City bylaws.

The PLA mandates that public libraries cannot charge for admission to the library, or for use of the library's materials. It also mandates that certain library services be free, including reserving and borrowing of materials, and use of reference and information services.

The PLA also mandates public libraries to be under the management and control of a board. The board is permitted to make rules pertaining to:

- Use of library services;
- Admission of the public to the library;
- Exclusion from the library of persons who behave in a disruptive manner or cause damage to library property;
- Imposing fines for breaches of the rules;
- Suspending library privileges for breaches of the rules; and
- Regulating all other matters connected with the management of the library and library property.

The PLA allows municipalities to establish a public library by bylaw. Toronto Municipal Code Chapter 137, Public Library Board, establishes the membership of the Toronto Public Library Board, which in turn appoints the City Librarian.

The City Librarian:

- Has general supervision over and direction of the operations of the Library and its staff;
- Attends all Board meetings; and
- Has authority, powers, and duties that the Board may assign to them.

Chapter 192, Public Service, advances the City's public service as professional, impartial, and ethical. TPL aligns with the bylaw through the Library's Employee Code of Ethics, Conflict of Interest Policy, and the Human Rights and Anti-Harassment/Discrimination Policy.

The Library's financial policies, including the Financial Control Policy and the Purchasing Policy, give the City Librarian authority over the Library's finances, including:

- The ability to act on behalf of the Board and sign documents;
- Making adjustments to the capital and operating budgets;
- Accepting and spending funds from the Toronto Public Library Foundation and other revenue;
- Writing off accounts; and
- Delegating authorities to Library staff.

Additional legislation also governs the Board and the Library's operations, including:

- Ontario Human Rights Code;
- Municipal Conflict of Interest Act, 1990;
- Municipal Freedom of Information and Protection of Privacy Act, 1990 (MFIPPA);
- Municipal Elections Act, 1996;
- Occupational Health and Safety Act, 1990 (OHSA); and
- Accessibility for Ontarians with Disabilities Act, 2005 (AODA).

The Framework further aligns with the Collective Agreement between the Toronto Public Library Board and Toronto Public Library Workers Union, Local 4948, Canadian Union of Public Employees.

The Board is accountable for ensuring that TPL complies with all applicable legislation and reflects legislative requirements in Board and administrative policies, which the City Librarian is responsible for administering.

Policy: Definition & Categories

A policy is a statement of TPL's position and approach to an issue that is related to the Library's vision, mission, values, strategic goals, and operations, and which requires consistent application in order to enable consistent decision-making and optimal allocation of resources.

Policies ensure accountability and transparency in the Library's services, workplace, and operations. They support TPL in delivering a comprehensive and efficient public library service that reflects the unique needs of Toronto's communities. Policies require mandatory observance.

TPL has two policy categories: Board policies and administrative policies. These categories are described in the table below, including the necessary approvals.

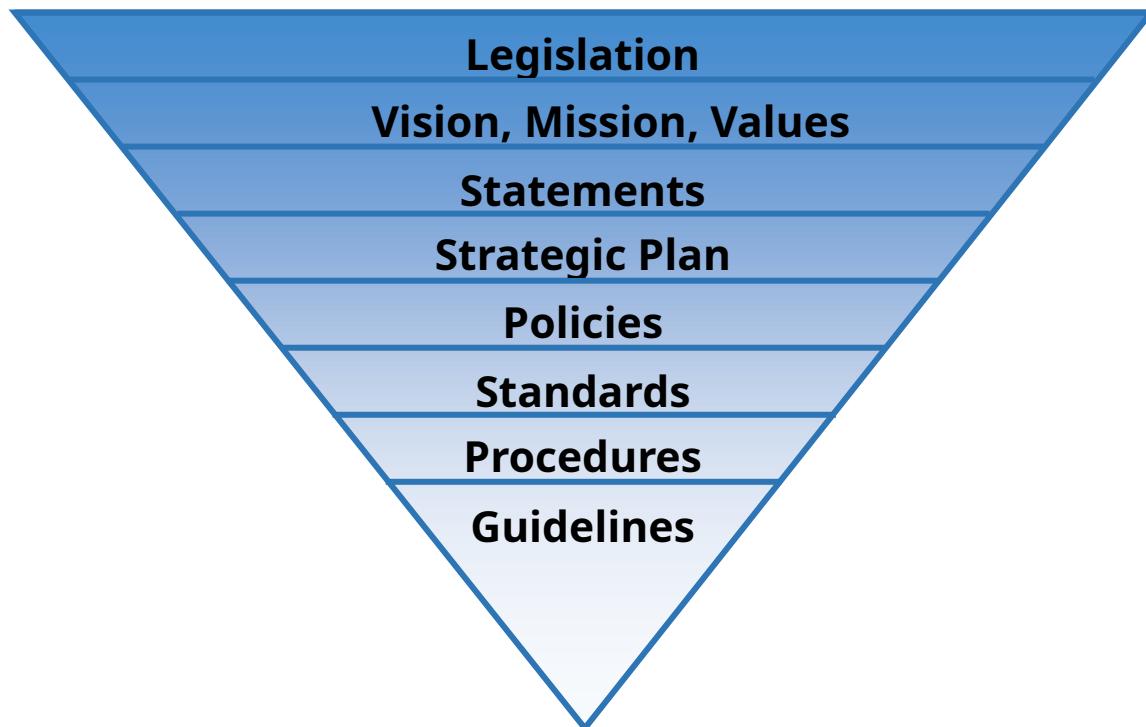
Policy Categories	
Board policies	<ul style="list-style-type: none">• Demonstrate the governance and oversight responsibilities of the Library Board, including:<ul style="list-style-type: none">○ Establishing the rules governing the conduct of Board members and Library staff○ Delegating responsibility from the Board to the City Librarian• Are broader in scope and impact, including:<ul style="list-style-type: none">○ Articulating the Library's vision, mission, values, and strategic direction○ Defining the scope and parameters within which the Library operates, including employment of staff○ Providing the rules for access to library service in accordance with the Library's governing legislation○ Advancing City of Toronto strategies as a partner○ Supporting transparency and accountability to the public• Require approval by the Library Board

Administrative policies

- Are more focused in scope and enable the carrying out of management or operational responsibilities by:
 - Providing details to Board policies to enable their implementation
 - Providing direction on day-to-day operations of the Library
- Require approval by the City Librarian and Senior Leadership Team

A policy may be a stand alone document, or it may include supporting documents. TPL's supporting policy documents include, standards, procedures, and guidelines, which are generally updated more frequently. Summarized definitions of these supporting documents, including statements, are included at the end of this document.

The following diagram illustrates the hierarchy of policy documents, preceded by legislation and TPL's foundational documents.



Why We Develop Policies

In summary, TPL develops policies to:

1. Fulfill the Library Board's governance role;
2. Respond to a priority identified by the Board or the City Librarian;
3. Codify, reinforce, and communicate the Library's mission and values;
4. Enhance transparency and accountability;
5. Respond to an issue identified by Library staff, the public, or other stakeholder;
6. Respond to emerging issues and organizational requirements, or to align with the City's position and approach;
7. Lead or align with position statements of the public library sector;
8. Comply with a legislative or City bylaw requirement;
9. Comply with a government directive, or changes to a government or City policy;
10. Provide a basis for budget development and resource allocation; and
11. Proactively address or respond to risks, and prevent or address problems.

Externally proposed policies

The City of Toronto may request its agencies and corporations to comply with a Council-approved policy or to develop their own equivalent policy. Furthermore, the Library will often review and, where appropriate, endorse policy positions, statements, or strategies issued by third parties such as the Ontario Human Rights Commission and Canadian Federation of Library Associations.

In consideration of an externally proposed policy, the Library will review the proposed approach to the issue and, where appropriate, conduct its own consultations and research following the processes and procedures outlined in this Framework. Depending on its analysis of the issue, the Library may adopt the

proposed policy as is, adapt it to suit the Library's unique circumstances, or create its own policy.

Policies in response to an emergency

The City Librarian, at their discretion, may direct the Library to adopt or align with an administrative policy similar to that proposed by the Province or the City, where the policy is in response to an emergency impacting City services, including Library services or other priorities, or in response to other workplace or service issues as required.

Roles and Responsibilities

Library Board

The Toronto Public Library Board is responsible for governance and oversight of the business and the affairs of the Toronto Public Library, including effective management of the Library's resources and the quality of Library services.

The Board has ultimate responsibility for the approval of policies regarding TPL's governance and public access to Library services. In summary, the responsibilities of the Board include:

- Approving the Library's strategic plans, goals, and Board policies in compliance with the governing legislation and based on community needs, and ensuring that they are efficiently and effectively implemented;
- Protecting the public's right to access a broad range of human knowledge, experience, information, and ideas in a range of formats, and to read materials of their choice in a welcoming and supportive environment; and
- Ensuring that the Library complies with all other applicable legislation.

City Librarian

The City Librarian is responsible for the overall administration of all Library operations and other responsibilities delegated to the position by the Library Board. Subsequently, the City Librarian will delegate to the appropriate director, responsibility for legislative compliance and policy development. For example:

- The City Librarian has been designated by the Board as the head of the institution for the purposes of administering the Municipal Freedom of Information and Protection of Privacy Act;

- Under the Occupational Health and Safety Act, the Library is required to post in a conspicuous location, a copy of the act and to prepare a policy with respect to workplace violence and harassment; and
- Under the Accessibility for Ontarians with Disabilities Act, the Library is required to develop an accessibility policy and a multi-year accessibility compliance plan.

The Policy Development Process

The Library follows a centre of excellence model, with centralized processes and decentralized policy accountability based on subject matter expertise.

Centralization of the Framework processes ensures:

- Consistent application of principles, processes, and templates;
- Proper consultation, research, and documentation; and
- Transparent decision making and approval.

Overarching principles

Overall, all TPL policies must align with the following principles:

1. Comply with all relevant legislation, including the Public Libraries Act;
2. Align with the City of Toronto's official position on the same issue as appropriate;
3. Align with the Library's vision, mission, and values – including intellectual freedom;
4. Promote an accessibility by design approach that will prevent or mitigate existing barriers, or the creation of barriers impacting persons with disabilities;
5. Apply an equity and inclusion lens;
6. Reference relevant Library policies, including the Accessibility for Persons with Disabilities Policy;
7. Be evidence-informed and promote best practices in library service;

8. Aim at addressing the most consequential situations related to the issue;
9. Be developed with a view to managing risk and taking advantage of opportunities;
10. Be developed collaboratively, including internal and external consultation as appropriate;
11. Be written in the format provided for in TPL's policy templates, using plain non-technical language, and incorporating best practices for creating accessible digital documents; and
12. Aim at establishing a common understanding of the issue and providing for practical solutions.

Consultation principles

The level of consultation undertaken is dependent on the policy issue. Overall, TPL aims to employ a process that:

1. Builds on existing research and previous consultation results from the Library or the City of Toronto;
2. Advances the Library's vision, mission, and values - including equity, inclusion, and accessibility;
3. Focuses on where stakeholders can genuinely influence policy development;
4. Takes into consideration diverse perspectives, including equity-deserving groups;
5. Consists of transparent data and information gathering and reporting;
6. Involves interested as well as impacted parties; and
7. Includes multiple accessible formats for stakeholder participation and input, including considerations for persons with disabilities.

Consultation & research methods

One or more consultation and research methods may be used, including:

1. Speaking with Library staff, City representatives, or public library systems;
2. Reviewing legislation and government policies or related resources;
3. Reviewing TPL and the Toronto Public Library Foundation's policies related to the issue;
4. Conducting jurisdictional or environmental scans and literature reviews;
5. Facilitating targeted focus groups or conducting surveys;
6. Utilizing existing program data or Library user information; and
7. Consulting with the Toronto Public Library Workers Union.

Summary of Policy Documents and Policy Development Processes

TPL employs a six-stage policy development process as summarized in the table further below. The application of the six stages is more vigorous when a new policy is being proposed compared to when a policy is being revised, and even less so if a policy is being adopted or adapted from a third party, which is generally the City or the Province.

Policy documents

Document	Description	Application
Toronto Public Library Policy Development Framework	<ul style="list-style-type: none"> • Formalizes TPL's approach to policy development in strategic terms with foundational principles and requirements • Explains how and why TPL develops policies 	Audience: Board, staff, public Compliance: Mandatory
Statement	<ul style="list-style-type: none"> • Codifies, defines, and explains the values that guide the delivery of public library service and the advocacy efforts of the public 	Audience: Board, staff, public

Document	Description	Application
	library sector and the library profession	Compliance: Mandatory
Policy	<ul style="list-style-type: none"> • Codifies TPL's values or approach to an issue • Provides a statement on TPL's approach to a specific issue related to its vision, mission, values, and strategic goals or operations • Supports accountability and transparency in the rules that govern services, the workplace, and operations 	Audience: Board, staff, public Compliance: Mandatory
Standard	<ul style="list-style-type: none"> • Reflects current or anticipated practices • Sets expectations regarding the quality and quantity of services or programs • Arises from best practices in public service • Clarifies customer and staff expectations • Promotes objectivity in service provision 	Audience: Board, staff, public Compliance: Mandatory
Procedure	<ul style="list-style-type: none"> • Provides specific direction on how a policy is efficiently and effectively implemented at the enterprise or divisional level to achieve stated objectives 	Audience: Staff Compliance: Mandatory

Document	Description	Application
Guidelines	<ul style="list-style-type: none"> • Addresses individual needs, including equity-deserving and vulnerable groups • Supports TPL staff in addressing unique situations requiring particular discretion • Clarifies where TPL staff have discretion, and supports staff in addressing unique circumstances with an equity lens 	Audience: Staff Compliance: Optional

Policy development processes

Stage	Description	Template(s)
Stage One: Initiation & issue definition	<ul style="list-style-type: none"> • Define and outline the policy issue • Document any consultations and research conducted 	Discussion Paper or Briefing Note Routing Form
Stage Two: Consultation & Research	<ul style="list-style-type: none"> • Conduct any internal or external consultations as necessary • Conduct any research, including jurisdictional or environmental scans, as necessary • Document consultations and research, including analysis 	Discussion Paper or Briefing Note Routing Form
Stage Three: Selecting a policy option	<ul style="list-style-type: none"> • Recommend and select policy option(s) based on evidence gathered 	Discussion Paper or Briefing Note

Stage	Description	Template(s)
Stage Four: Drafting and approval	<ul style="list-style-type: none"> Draft the policy using appropriate template Consult with subject matter experts, as necessary, on implementation Seek legal review as appropriate Submit for approval by the Board or Directors Committee 	Board Policy Template or Administrative Policy Template Board Action Report or Board Information Report
Stage Five: Communication & Implementation	<ul style="list-style-type: none"> Communicate internally and externally as appropriate 	N/A
Stage Six: Monitoring and Review	<ul style="list-style-type: none"> If new policy, review after first year of implementation Review at minimum once every four years, and more frequently depending on legislative requirements or other priority factors 	Policy Outlook (annual policy agenda)

Select Resources

Calls to Action. Truth and Reconciliation Commission of Canada.

Canada and the United Nations Human Rights System. Government of Canada

Convention on the Rights of the Child. United Nations Human Rights

Customer Feedback Standards & Practices. Toronto Public Library

Guide to the Canadian Charter of Rights and Freedoms. Government of Canada

Guidelines and Position Papers. Canadian Federation of Library Associations

IFLA/UNESCO Public Library Manifesto

Implementing the United Nations Declaration on the Rights of Indigenous Peoples in Canada. Government of Canada

International Covenant on Civil and Political Rights. United Nations Human Rights

Preventing, Reviewing and Removing Barriers. Ontario Human Rights Commission

Resources for Libraries. Urban Libraries Council

The First Nations Principles of OCAP. First Nations Information Governance Centre