

## Interim DSSAB Governance and Accountability Guidelines What's New, What's Changed?

Guideline – Original 2004 Draft	What's New, What's Changed? Feedback From DSSABs	2006 Interim Guideline
<p>Guideline #1: The role of the DSSAB board is to provide overall governance responsibility in order to carry out the duties of the board, including:</p> <ul style="list-style-type: none"> <li>- to abide by the regulations set out in the DSSAB Act and all statutes related to the core programs (Ontario Works Act, Day Nurseries Act, Social Housing Reform Act and legislation of the Ministry of Health and Long Term Care (MOHLTC), where applicable);</li> <li>- to act as financial administrator and maintain the financial integrity of the board;</li> <li>- to develop and abide by policies, processes and procedures established to manage the activities of the board;</li> <li>- to be accountable for all program delivery responsibilities including service management, quality control and performance monitoring for Ontario Works, child care, and social housing, and land ambulance and public health (where applicable);</li> <li>- to provide policy and planning direction and evaluation on program responsibilities and input on social services policy issues;</li> <li>- to ensure open communication channels through: fostering positive working relationships with provincial government ministries, specifically MCSS, MMAH and the Ministry of Health and Long Term Care (MOHLTC);</li> <li>- designating a spokesperson, when required, regarding the actions and plans of the board;</li> <li>- to represent the public and to consider the well-being and interests of all of the member municipalities and TWOMOs;</li> <li>- to determine which non-mandatory services the</li> </ul>	<ol style="list-style-type: none"> <li>1. Re-ordered the role of the Chair of the Board and removed the requirement that the role of the Chair of the Board is 'to act as chief executive officer of the board'; removed "to provide leadership to the board; and removed "to represent the board at official functions".</li> <li>2. Revised the role of the DSSAB Board to more closely follow the wording in the <i>Municipal Act, 2001</i>. This includes removal of the reference to accountability (moved to first line of the Guideline) and the reference to policy and planning direction.</li> </ol>	<p>Guideline #1: Role of the DSSAB Board, Chair, Officers and Employees The Role of the DSSAB board is to provide overall governance responsibility in order to be accountable for and to carry out the duties of the board, including:</p> <ul style="list-style-type: none"> <li>- to represent the public and to consider the well-being and interests of all of the member municipalities and TWOMOs;</li> <li>- to develop and abide the policies and programs of the board;</li> <li>- to determine which services the board provides;</li> <li>- to ensure that administrative practices and procedures are in place to implement the decisions of the board;</li> <li>- to maintain the financial integrity of the board;</li> <li>- to carry out the duties of the board under the <i>District Social Services Administration Boards Act, the Ontario Works Act, the Day Nurseries Act, the Social Housing Reform Act, the Municipal Act, 2001</i> and the related Regulations or any other Act as required, and including the legislation of the Ministry of Health and Long-Term Care where applicable</li> <li>- designating a spokesperson, when required, regarding the actions and plans of the board;</li> <li>- to ensure open communication channels with provincial government ministries, specifically MCSS, MMAH and MOHLTC through fostering positive working relationships.</li> </ul> <p>The Role of the Chair is:</p> <ul style="list-style-type: none"> <li>- to carry out the duties of the Chair under the <i>DSSAB Act</i> or any other Act;</li> <li>- to preside over board meetings.</li> </ul> <p>The role of the officers and employees of the DSSAB is:</p>

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<p>board provides;</p> <ul style="list-style-type: none"> <li>- to ensure that administrative practices and procedures are in place to implement the decisions of the board.</li> </ul> <p>The Role of the Chair is:</p> <ul style="list-style-type: none"> <li>- to act as chief executive officer of the board;</li> <li>- to preside over board meetings;</li> <li>- to provide leadership to the board;</li> <li>- to represent the board at official functions;</li> <li>- to carry out the duties of the Chair under the DSSAB Act or any other Act.</li> </ul> <p>The role of the officers and employees of the DSSAB is:</p> <ul style="list-style-type: none"> <li>- to implement board's decisions and establish administrative practices and procedures to carry out the board's decisions;</li> <li>- to undertake research and provide advice to the board on the policies and programs of the board;</li> <li>- to carry out other duties required under the DSSAB Act or any Act and other duties assigned by the board</li> </ul>		<ul style="list-style-type: none"> <li>- to implement board's decisions and establish administrative practices and procedures to carry out the board's decisions;</li> <li>- to undertake research and provide advice to the board on the policies and programs of the board;</li> <li>- to carry out other duties required under the <i>DSSAB Act</i> or any Act and other duties assigned by the board.</li> </ul>
<p>Guideline #2 DSSABs shall demonstrate double majority consent by means of a resolution of each municipal council and the written consent of each board member representing the unorganized area.</p> <p>Once double-majority consent is given for changing apportionment of costs, the DSSAB may only revert to the apportionment formula set out in the Regulation by means of double majority consent.</p>	<ol style="list-style-type: none"> <li>1. This guideline was eliminated:</li> <li>2. Removed the first paragraph from Guideline #2 because it is already reflected in the DSSAB Regulation Section 6 (8).</li> <li>3. Removed the second paragraph from Guideline #2 because a regulation amendment would be required to require boards to obtain double-majority consent to revert to the Regulation apportionment formula.</li> </ol>	<p>This Guideline was eliminated.</p>

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<p>Guideline #3 Services are to be provided in French if there is a requirement in the agreement between the Province and the DSSAB requiring that services be provided in French, whether or not a DSSAB is designated under the FLSA. [Note: to be expanded in final guidelines]</p>	<p>1. Eliminate this Guideline. French language services are already provided for under the <i>French Language Services Act</i> and there should be no need to repeat requirements of existing legislation. Any agreements requiring French language services to be provided by the DSSAB would also prevail.</p>	<p>This Guideline was eliminated.</p>
<p>Guideline #4 DSSABs may only hold a closed meeting if the matter relates to:</p> <ul style="list-style-type: none"> <li>- the security of the property of the board;</li> <li>- personal matters about an identifiable individual, including employees of the board;</li> <li>- a proposed or pending acquisition or disposition of land by the board;</li> <li>- labour relations or employee negotiations;</li> <li>- litigation or potential litigation, including matters before administrative tribunals, affecting the board;</li> <li>- advice that is subject to solicitor-client privilege, including communications necessary for that purpose;</li> <li>- a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act.</li> </ul> <p>DSSABs must hold a closed meeting if the matter relates to:</p> <ul style="list-style-type: none"> <li>- the consideration of a request under the <i>Municipal Freedom of Information and Protection of Privacy Act</i> if the board is the head of an institution for the purposes of that Act.</li> </ul>	<p>1. No change to Guideline #4 2. Re-numbered to Guideline #2</p>	<p>Guideline #2: Closed Meetings DSSABs may only hold a closed meeting if the matter relates to:</p> <ul style="list-style-type: none"> <li>- the security of the property of the board;</li> <li>- personal matters about an identifiable individual, including employees of the board;</li> <li>- a proposed or pending acquisition or disposition of land by the board;</li> <li>- labour relations or employee negotiations;</li> <li>- litigation or potential litigation, including matters before administrative tribunals, affecting the board;</li> <li>- advice that is subject to solicitor-client privilege, including communications necessary for that purpose;</li> <li>- a matter in respect of which a council, board, committee or other body may hold a closed meeting under another Act.</li> </ul> <p>DSSABs must hold a closed meeting if the matter relates to:</p> <ul style="list-style-type: none"> <li>- the consideration of a request under the <i>Municipal Freedom of Information and Protection of Privacy Act</i> if the board is the head of an institution for the purposes of that Act.</li> </ul> <p>Before holding a closed meeting, or part of a meeting which is closed, the DSSAB shall state by resolution, the fact of the holding of the closed meeting, and the general nature of the</p>

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Before holding a closed meeting, or part of a meeting which is closed, the DSSAB shall state by resolution, the fact of the holding of the closed meeting, and the general nature of the matter to be considered at the closed meeting.		matter to be considered at the closed meeting.
<p><b>Guideline #6</b> A procedure by-law governing the calling of meetings, place and proceedings of meetings shall be adopted.</p>	<ol style="list-style-type: none"> <li>1. Additional information added to the Guideline for clarification.</li> <li>2. Renumbered to Guideline #3</li> </ol>	<p><b>Guideline #3: Procedure By-Law</b> A procedure by-law governing the calling of meetings, place and proceedings of meetings shall be adopted. The procedure by-law should set out the decision-making structure for the Board, for example, whether there will be a committee system, the role of staff within the decision-making structure, and /or how the public would provide input. The Board may choose a model that it decides is most appropriate.</p>
<p><b>Guideline #7</b> A notice policy shall be adopted in which the board gives notice in a form and in a manner and at the times that the board considers adequate to give reasonable notice for each of those matters.</p> <p>At a minimum, the following matters shall be covered by the notice policy:</p> <ul style="list-style-type: none"> <li>- before adopting or amending all or part of the budget;</li> <li>- before enacting or amending its procedure by-law;</li> <li>- before adopting or amending its notice policy;</li> <li>- before adopting or amending its hiring policy as required under section 270 of the Municipal Act, 2001;</li> <li>- before adopting or amending its procurement policy as required under section 271 of the Municipal Act, 2001;</li> <li>- before establishing or amending any fee or charge.</li> </ul>	<ol style="list-style-type: none"> <li>1. Removed the notice requirement for MA Sections 270 and 271 from the Guideline.</li> <li>2. Renumbered to Guideline #4</li> </ol>	<p><b>Guideline #4: Notice Policy</b> A notice policy shall be adopted in which the board gives notice in a form and in a manner and at the times that the board considers adequate to give reasonable notice for each of those matters.</p> <p>At a minimum, the following matters shall be covered by the notice policy:</p> <ul style="list-style-type: none"> <li>- before adopting or amending all or part of the budget;</li> <li>- before enacting or amending its procedure by-law;</li> <li>- before adopting or amending its notice policy;</li> <li>- before establishing or amending any fee or charge.</li> </ul>

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<p>Guideline #8 The Municipal Conflict of Interest Act applies to all members of a DSSAB.</p>	<ol style="list-style-type: none"> <li>1. Additional explanatory material added to the Guideline.</li> <li>2. Renumbered to Guideline #5.</li> </ol>	<p>Guideline #5: Municipal Conflict of Interest Act The <i>Municipal Conflict of Interest Act</i> applies to all members of a DSSAB board, including the members representing Territories Without Municipal Organization. The Act imposes a statutory duty on members to declare pecuniary interests, direct or indirect, and refrain from participating and voting on any matter in which they have a pecuniary interest. It also prohibits influencing others before, during or after the meeting.</p>
<p>Guideline #9 The accounts and transactions of DSSABs are to be audited by an auditor of the municipality that is responsible for the largest share of the operating costs of the DSSAB, unless the board agrees otherwise.</p> <p>In the event that the board determines not to use the auditor of the largest municipality, an appropriate tendering process is to be followed (i.e. in the year prior to the audit year in question).</p>	<ol style="list-style-type: none"> <li>1. Changed the word 'agrees' in the first sentence to 'decides'.</li> <li>2. Renumbered to Guideline #6</li> </ol>	<p>Guideline #6: Audit Requirements The accounts and transactions of DSSABs are to be audited by an auditor of the municipality that is responsible for the largest share of the operating costs of the DSSAB, unless the board decides otherwise.</p> <p>In the event that the board determines not to use the auditor of the largest municipality, an appropriate tendering process is to be followed (i.e., in the year prior to the audit year in question).</p>
<p>Guideline #10 Audited financial statements are prepared in accordance with PSAB recommendations</p> <p>In accordance with the terms of the Service Contract, Reconciliation Report and Audited Financial Statements are submitted within 4 months of the DSSAB's fiscal year end.</p>	<ol style="list-style-type: none"> <li>1. No change to Guideline #10.</li> <li>2. Renumbered to Guideline #7.</li> </ol>	<p>Guideline #7: Financial Statements Audited financial statements are prepared in accordance with PSAB recommendations</p> <p>In accordance with the terms of the Service Contract, Reconciliation Report and Audited Financial Statements are submitted within 4 months of the DSSAB's fiscal year end.</p>
<p>Guideline #x Subject to approval by municipal council, the clerk of a member municipality may be appointed the DSSAB election clerk.</p>	<ol style="list-style-type: none"> <li>1. Additional explanatory material was added to this Guideline.</li> <li>2. Renumbered to Guideline #8.</li> </ol>	<p>Guideline #8: TWOMO Election Administration DSSABs are responsible for administering the TWOMO election. However DSSABs may contract out administration to a third party. DSSABs would be responsible for the costs of administering the election.</p> <p>Subject to approval by municipal council, the clerk of a</p>

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		member municipality may be appointed the DSSAB election clerk. The clerk of the largest municipality may be in the best position to oversee the DSSAB election. However, there may be a better choice of municipality for a particular board. For example, an adjacent municipality may be more appropriate to take on the role.
<p>Guideline #x Any action described below should not be taken after the last day for nominations for new municipal council or TWOMO representatives:</p> <ul style="list-style-type: none"> <li>- appointment or removal from office of any member of the board;</li> <li>- hiring or dismissal of any employee of the board;</li> <li>- disposition of any real or personal property of the DSSAB which had a value exceeding \$50,000 when it was acquired by the DSSAB (unless the disposition was included in the most recent budget adopted by the DSSAB before nomination day )</li> <li>- making any expenditures or incurring any other liability which exceeds \$50,000 (unless the liability was included in the most recent budget adopted by the DSSAB before nomination day), excluding normal day to day business expenditures e.g. Ontario Works</li> </ul>	<ol style="list-style-type: none"> <li>1. Amended the wording of the Guideline to clarify that the transition period is between the day of the election and the first day of the term of the new board.</li> <li>2. Renumbered to Guideline #9</li> </ol>	<p>Guideline #9: Transition Period Following Election Any action described below should not be taken after election day for new municipal council or TWOMO representatives and up to the first day of the term of the new board:</p> <ul style="list-style-type: none"> <li>- appointment or removal from office of any member of the board;</li> <li>- hiring or dismissal of any employee of the board;</li> <li>- disposition of any real or personal property of the DSSAB which had a value exceeding \$50,000 when it was acquired by the DSSAB (unless the disposition was included in the most recent budget adopted by the DSSAB before nomination day );</li> <li>- making any expenditures or incurring any other liability which exceeds \$50,000 (unless the liability was included in the most recent budget adopted by the DSSAB before nomination day), excluding normal day to day business expenditures e.g. Ontario Works.</li> </ul>
<p>TWOMO Guideline #x DSSABs may appoint a representative to fill a vacancy when a TWOMO member dies or resigns in a manner similar to that of school boards:</p> <ul style="list-style-type: none"> <li>- the person is qualified to be elected as a representative of a TWOMO;</li> <li>- has consented to accept the office if appointed;</li> <li>- if more than one person is nominated to fill a vacancy, the board votes to determine which person shall fill it:</li> </ul>	<ol style="list-style-type: none"> <li>1. The first paragraph is shortened.</li> <li>2. Renumbered to Guideline #10</li> </ol>	<p>Guideline #10: Filling a TWOMO Member Vacancy DSSABs may appoint a new member to fill a vacancy of a TWOMO member according to the following criteria:</p> <ul style="list-style-type: none"> <li>- the person is qualified to be elected as a representative of a TWOMO;</li> <li>- has consented to accept the office if appointed;</li> <li>- if more than one person is nominated to fill a vacancy, the board votes to determine which person shall fill it:</li> <li>- a person who receives more than half the votes shall fill the vacancy;</li> </ul>

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<ul style="list-style-type: none"> <li>- a person who receives more than half the votes shall fill the vacancy;</li> <li>- if no person receives more than half the votes, another vote is taken which excludes the person who received fewest votes in the previous vote;</li> <li>- if two or more persons received fewest votes, the person to be excluded is chosen by lot.</li> </ul>		<ul style="list-style-type: none"> <li>- if no person receives more than half the votes, another vote is taken which excludes the person who received fewest votes in the previous vote;</li> <li>- if two or more persons received fewest votes, the person to be excluded is chosen by lot.</li> </ul>