



Public Appointment Policy

| | |
|----------------------|----------------------|
| Policy Number | POL-84 |
| Effective | September 20 2022 |
| Review Date | Not scheduled |
| Final Approver | Council |
| Training Course Code | Not applicable |
| Document State | CURRENT |

1.0 Purpose

The purpose of this policy is to provide a consistent, open and transparent framework for the appointment of public members to City of Kingston Advisory Committees and the External Boards and Commissions for which the City conducts recruitment.

2.0 Persons Affected

2.1 This policy applies to all employees including:

- 2.1.1 Council;
- 2.1.2 The City Clerk;
- 2.1.3 Office of the City Clerk staff; and
- 2.1.4 Staff Liaisons as defined in Section 3.1.6.

3.0 Policy Statement

3.1 Appointment Process

3.1.1 Committees

- a. Recruitment for public members positions will be conducted in accordance with this policy for the following Advisory Committees:
 - i. Appeals Committee
 - ii. Arts, Culture & Heritage Advisory Committee
 - iii. Committee of Adjustment
 - iv. Equity, Diversity and Inclusion Advisory Committee

- v. Francophone Working Group
 - vi. Heritage Properties Committee
 - vii. Housing and Homelessness Advisory Committee
 - viii. Municipal Accessibility Advisory Committee
 - ix. Planning Advisory Committee
 - x. Post Secondary Working Group
 - xi. Rural Economic & Community Development Working Group
 - xii. Any committees or working groups of Council established under the Committee By-Law or other resolution of Council.
- b. Notwithstanding Subsection 3.5 of this Policy, recruitment of public member positions to the Sector Operators and Agencies Subcommittee will follow this Policy.
- c. Recruitment for public member positions will be conducted in accordance with this policy for the following External Boards and Commissions:
- i. Kingston Frontenac Housing Corporation Board
 - ii. Kingston Frontenac Public Library Board
 - iii. Kingston Police Services Board
 - iv. Kingston and Area Taxi Commission
- 3.1.2 Recruitment occurrences

Recruitment for public member positions on Advisory Committees and External Boards and Commissions will occur in the following instances:

- a. Immediately after a municipal election;
- b. Annually in the last quarter of each year;
- c. As vacancies occur throughout the year, with consideration given to the immediate need to fill a vacancy dependent on committee business and/or structure

3.1.3 Notice of vacancies

Notice of vacancies will include the following information with respect to recruitment for an Advisory Committee or External Board or Commission:

- a. Name of committee or board and description of its mandate;
- b. The composition of the committee or board;
- c. The usual frequency, location and time of the meetings;
- d. The number of vacant positions and the terms of appointment for each respective vacancy;
- e. The eligibility criteria, qualifications and skills desired;

- f. The process for submitting applications and the deadline for receipt of applications.

3.1.4 Vacancy advertisements

The following measures may be used to provide public notice of vacancies:

- a. City News page of the Kingston Whig-Standard and/or other community newspapers;
- b. City website;
- c. Email distribution;
- d. Social media channels;
- e. Direct mail to the general population and/or targeted communities;
- f. Any other methods as deemed desirable.

3.1.5 Application submission

- a. Applicants must complete the committee application form;
- b. Applicants may choose to complete the voluntary diversity information questions as part of the committee application;
- c. Applications may be submitted via online form, email to the City Clerk's Department, regular mail, or drop off at Kingston City Hall, 216 Ontario Street – Clerk's Department;
- d. Applicants may apply to a maximum of three committees per recruitment cycle;
- e. Applicants are eligible to serve on only one committee at a time, unless otherwise recommended by the Nominations Committee;
- f. Applications may be submitted during a non-active recruitment period and will be considered for any vacancies that may arise within a one-year period of the date of application submission.
- g. Applications received after the submission deadline during an active recruitment and before the meeting of the Nominations Committee will be denoted as late submissions and submitted to the Nominations Committee for consideration.

3.2 Eligibility and Qualifications

3.2.1 Eligibility

Unless otherwise specified in the mandate or terms of reference as outlined in the Committee By-Law, or enabling legislation for an External Board or Commission, to be eligible to serve on a committee an applicant must:

- a. Be 18 years of age or older, other than those persons applying for a designated youth position on an eligible Advisory Committee, where the eligible age is 15 – 24 years of age;
- b. A resident or business owner in the City of Kingston;

3.2.2 Ineligibility – City staff

Persons employed by the City of Kingston are not eligible to serve as a public member on an Advisory Committee or External Board or Commission.

3.2.3 Guidelines for establishing qualifications

Qualifications for committees vary considerably. The following guidelines may be considered in establishing the qualifications for serving on an Advisory Committee or External Board or Commission:

- a. Ability to perform the duties of the board or committee, including complementary skills and/or competencies;
- b. Areas of specialization where required, technical expertise, experience or community service;
- c. Geographic location within the City;
- d. Lived experience.

3.3 General

3.3.1 Application review and recommendations

- a. City Clerk's Department staff will receive and compile applications and confirm the eligibility of applicants as detailed in Section 3.2.1.
- b. The Nominations Committee will be provided with all eligible applications submitted to the City Clerk's Department as part of the agenda package for each meeting.
- c. The Nominations Committee will be responsible for selecting Appointees for vacancies via motion recommending Appointees to Council.
- d. Nominations Committee recommendations will be forwarded to the first Council meeting within the reporting deadline established by the Council Procedural By-Law.
- e. City Council will consider the recommendations and may approve, defer or deny recommendations in accordance with the Council Procedural By-Law.

3.3.2 Appointment of reserve pool

- a. The Nominations Committee may select applicants for a reserve pool for an Advisory Committee or External Board or Commission, with the number of applicants selected to be at the discretion of the Nominations Committee.
- b. Reserve pool applicants shall be appointed in numerical preference by the Nominations Committee.
- c. The City Clerk's Department will contact reserve pool members to advise of their status as reserve pool members to an Advisory Committee or External Board or

Commission.

- d. A reserve pool member will be appointed to serve on their respective Advisory Committee or External Board or Commission by the City Clerk in instances where the resignation of an Appointee has created a vacancy on an Advisory Committee or External Board or Commission part way through a term of appointment.
- e. The City Clerk shall contact reserve pool members based on the numerical preference established in Section 3.3.2 b).
- f. Reserve pools will remain valid until the next advertisement of vacancies for that particular Advisory Committee or External Board or Commission.

3.3.3 Interview panels

- a. At the first Nominations Committee meeting following the appointment of members, two interview panels shall be chosen by the membership of the Committee, with each panel consisting of three committee members.
- b. A rotation for interview panels shall be decided by lot at the same meeting in which interview panels are selected in accordance with Section 3.3.3 a).
- c. At the discretion of the Nominations Committee, an applicant(s) to serve on an Advisory Committee or External Board or Commission may be selected for an interview with an interview panel.
- d. Interviews shall be requested and conducted in accordance with the procedures outlined in Appendix A – Applicant Interview Process.

3.3.4 Terms of appointment

- a. Unless otherwise specified in a committee mandate or terms of reference, initial appointments to an Advisory Committee will be for a term of two years.
- b. Subsequent appointments to an initial appointment to an Advisory Committee will be for a term of two years upon re-appointment.
- c. Appointees will continue to serve on an Advisory Committee or External Board or Commission past the expiration of their term until they are replaced.
- d. Appointments to an Advisory Committee may not extend beyond the current term of Council.
- e. An Appointee may serve a maximum of four consecutive years on the same Advisory Committee, after which they are required to take at least a one-year absence before being eligible to re-apply to serve on the committee.
- f. Notwithstanding section 3.3.3 e), an Appointee may serve longer than the maximum of four consecutive years on the same Advisory Committee if the mandate of that Advisory Committee specifies that the terms of appointment shall be for a term of Council, to a maximum of two consecutive terms of Council.

- g. Notwithstanding 3.3.3 e), on recommendation of the Nominations Committee, an Appointee may be appointed beyond their four-year term limit.
- h. During their one-year absence, an Appointee may apply to serve on a different Advisory Committee or External Board or Commission.
- i. All applicants re-applying to serve on an Advisory Committee or External Board or Commission must submit an updated application in accordance with Section 3.1.5.
- j. Reappointment of Appointees is not guaranteed.

3.3.5 Communication of appointments

- a. Following Council approval, the City Clerk's Department shall advise, in writing, all Appointees of their appointment and provide the Appointee with the Staff Liaison or External Board or Commission staff member's contact information.
- b. Following the distribution of notices in section 3.3.5 a), the City Clerk's Department shall advise in writing all non-successful applicants of the status of their application.

3.3.6 Retention of applications

- a. Applications will be retained for a period of one year after their submission.
- b. If a vacancy occurs on an Advisory Committee or External Board or Commission within one year, and no reserve pool exists or reserve pool members are unable to serve, applicants who applied to serve on that Advisory Committee or External Board or Commission will be contacted to see if they continue to have an interest to serve.

3.3.7 Remuneration

- a. Public appointees to the Equity, Diversity & Inclusion Advisory Committee, Housing & Homelessness Advisory Committee, Sector Operators and Agencies Subcommittee, and Municipal Accessibility Advisory Committee are eligible to receive a \$100 honorarium per meeting attended.
- b. Appointees will be given information at the beginning of their term on how to opt-in to receive the honorarium.
- c. Appointees must complete the necessary forms and information, as determined and provided by the City Clerk, in order to receive the honorarium.

3.4 Removal of member

3.4.1 General

- a. Council retains the right to replace an Appointee at any time and for any reason.
- b. Violations of the following may result in the removal of an Appointee:

- i. Release of confidential information
- ii. Legal claims against the City of Kingston
- iii. Breaches of the Member Code of Conduct
- iv. No longer maintaining eligibility as defined in Section 3.2.1 or 3.2.2.

3.4.2 Absenteeism

- a. If an Appointee is absent for three consecutive meetings without cause acceptable to the City Clerk, the Appointee will be deemed to have forfeited their position on the committee.
- b. An Appointee may apply in writing to the City Clerk to request a temporary leave of absence from an Advisory Committee for a period of up to 12 months.
- c. The City Clerk, in consultation with the appropriate Staff Liaison or External Board or Commission staff, may grant a temporary leave of absence for the following reasons:
 - i. Parental leave for the care of a child;
 - ii. Care for a sick family member;
 - iii. Illness; or
 - iv. Other requests for a leave of absence as evaluated on a case-by-case basis.
- d. Any Appointee who is absent, without cause, more than 50 per cent of the meetings since their term of appointment will not be eligible for re-appointment.

3.4.3 Resignations

The following procedure shall be followed for Appointee resignations:

- a. Resignations shall be submitted in writing to the City Clerk and include the effective date of the resignation;
- b. City Clerk's Department staff will be responsible for communicating any resignations to the appropriate Advisory Committee Chair, Staff Liaison and/or External Board or Commission;
- c. Council shall be advised of resignations as an Item of Miscellaneous Business at the first eligible Council meeting following the receipt of a resignation.

3.5 Subcommittees

Subcommittees established under the Committee By-Law will appoint members annually using the following process:

- 3.5.1 At an advisory committee meeting, staff will present potential subcommittee members, while also receiving feedback from committee members on potential subcommittee members.

- 3.5.2 Following the meeting, staff will follow up with suggested subcommittee members to confirm their interest.
- 3.5.3 At a subsequent advisory committee meeting, suggested subcommittee members that have confirmed their interest will be formally recommended to Council for appointment by a vote of the advisory committee membership.
- 3.5.4 Subcommittee appointments are then voted on by Council.

Employees

- 3.6 Any employee who breaches this policy may be subject to discipline up to and including dismissal.

4.0 Responsibilities

- 4.1 Council is responsible for approving and directing compliance with this policy.
- 4.2 The City Clerk and/or their designate is responsible for:
 - 4.2.1 Conducting the recruitment to fill vacancies for Advisory Committees and External Boards or Commission in accordance with this policy;
 - 4.2.2 Confirming the eligibility of applicants;
 - 4.2.3 Establishing guidelines for qualifications in coordination with Staff Liaisons and External Board or Commission staff;
 - 4.2.4 Creating agenda packages for the Nominations Committee, including but not limited applications and correspondence;
 - 4.2.5 Retaining records of applications and terms of appointment for Appointees in accordance with this policy;
 - 4.2.6 Advising Appointees of their appointment to committees and applicants of the status of their application;
 - 4.2.7 Granting temporary leaves of absence for Appointees in accordance with this policy
 - 4.2.8 resolving any issues or conflicts relating to this policy; and
 - 4.2.9 approving any terms or conditions negotiated outside of this policy.

Breach of Policy

- 4.3 Employees are responsible for compliance with this policy and shall be aware that any employee who breaches this policy may be subject to discipline up to and including dismissal.

5.0 Approval Authority

| Role | Position | Date Approved |
|-----------------------|----------------------|---------------|
| Subject Matter Expert | | |
| Legal Review | Senior Legal Counsel | |
| Management Review | City Clerk | |
| Final Approval | | |

6.0 Revision History

| Effective Date | Revision # | Description of Change |
|-----------------|------------|----------------------------|
| August 14, 2023 | 1 | Change to age requirements |
| | | |

7.0 Appendix

7.1 Appendix A – Applicant Interview Process

1. Should the Nominations Committee wish to select individual applicants for an interview, a member may move a motion that consideration of appointments to a specific committee be deferred in order to conduct interviews with selected applicants, specifying the names of those applicants to be interviewed.
2. Section 7.1.1 a) does not prevent the Committee from recommending Appointees to partially fill an Advisory Committee for which it is desired to have applicants selected for interviews.
3. Should a motion as outlined in Section 7.1.1 a) pass, the City Clerk’s Department and/or the Human Resources and Organizational Development Department shall schedule interviews with the selected applicants and the scheduled interview panel, with the interview to take place during regular business hours.
4. Interviews may be conducted electronically or in-person at Kingston City Hall.
5. Interviews shall be conducted by the members of an interview panel using pre-determined questions provided by the City Clerk’s Department and Human Resources and Organizational Development Department.
6. Interviews shall be conducted by the interview panel that is next in order as determined in Section 3.3.3 b).
7. Upon completion of the interviews, the City Clerk’s Departments shall schedule a meeting of the Nominations Committee to complete the selection of Appointees to an Advisory Committee.

Related Definitions

Advisory Committee

is a committee established to provide advice to Council in accordance with the committee’s mandate or terms of reference. For the purposes of this Policy, a Working Group may also be considered an Advisory Committee.

Appointee

is a member of the public confirmed by Council to serve on an Advisory Committee or External Board or Commission

Committee Bylaw

means By-Law Number 2023-204, Committee By-Law.

Council Procedural Bylaw

means Bylaw Number 2021-41, A Bylaw to Provide Rules for Governing the Order and Procedures of the Council of the Corporation of the City of Kingston.

External Board or Commission

means a board or commission, that may be established by provincial legislation, may be subject to its own procedural bylaws and for which the City assists in the recruitment of public members, with members selected by the Nominations Committee.

Staff Liaison

is a City staff member who is responsible for coordinating the work or work plan of an Advisory Committee.