

# Public Appointments Policy

Governing Appointments to  
City Agencies, Boards, Commissions  
and Corporations and Nominations to  
External Special Purpose Bodies



**City of Toronto  
Public Appointments Policy**

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## Terms Used in Public Appointments Policy

The following terms have the meanings indicated for the purposes of interpreting this policy:

<b>Term</b>	<b>Definition</b>
ABCCs	Agencies, Boards, Commissions and Corporations (ABCCs) of the City (including administrative, quasi-judicial and partnered bodies), which have a legislative basis in a provincial act or municipal by-law.
Administrative Bodies	These bodies are responsible for administering funds such as pension plans and reserve funds.
Advisory Committees	Committees that advise City staff or a committee of Council on delivery of a service or program. These committees are not independent of Council, and they do not deliver services.
Agency	This is a generalization meaning an entity performing a City service. This is not a legal definition of agency. This policy deals with the appointments process for the members of the boards of directors of agencies and other bodies.
Alternates	Persons who are not selected to currently serve on a City board, but who have been identified by Council for first consideration for appointment to the board if a vacancy occurs during the term. Should a vacancy occur, identified alternates will be contacted to verify continued eligibility and interest in being considered.
Board Composition	The number of members of a board approved by Council, including the balance between Members of Council and citizens, and identification of any body outside the City that will be invited to nominate a member of the board. The composition of each board is identified in the companion document “Board-Specific Processes and Requirements for Public Appointments”.
Citizen	This term is used in this policy to refer to Toronto residents who are not Members of Council or City or agency staff. It does not indicate Canadian citizenship and may include permanent residents, refugees, refugee claimants, and residents without homes.

Term	Definition
City Board	In this policy, City board refers to all boards, pension bodies and corporations that are under the jurisdiction of the City. This is not the same definition that is used in the <i>City of Toronto Act, 2006</i> .
City Official	The Mayor, who is the chief executive officer of the City, or a senior City staff person.
Civic Appointments Committee	A committee of Council, which replaces the City’s Nominating Committee in the new governance structure and is authorized to consider and recommend to Council the appointment of citizens to various agencies, boards and commissions.
Community-Based Boards	City boards where the community elects or nominates members of the board to represent the community with those members being approved by Council. These boards include arena boards and boards of management of the Association of Community Centres (AOCCs), and the Business Improvement Areas (BIAs).
Corporations	Corporations owned wholly or partially by the City of Toronto and incorporated pursuant to the <i>Ontario Business Corporations Act</i> , the <i>Ontario Corporations Act</i> , the <i>Canada Corporations Act</i> or special legislation.
Diversity Information (Self Identified)	Includes characteristics of gender, age, aboriginal status, race, disability status, and sexual orientation as self identified by applicants. Other characteristics such as socio-economic grouping may also be included.
Eligibility	The general criteria set by Council or the legal requirements that determine if an individual may apply to serve on a City board. See Sections 2.1 to 2.5.
Interest Groups	A special interest group, stakeholder group, organized service user group, funding partner, labour representative or professional/technical organization that has been invited by Council to nominate one or more members to a City board.
MFIPPA	The <i>Municipal Freedom of Information and Protection of Privacy Act</i> (MFIPPA), which imposes mandatory confidentiality obligations on the City of Toronto and Members of Council to refrain from disclosing personal information and to protect the privacy of information obtained in in-camera sessions

<b>Term</b>	<b>Definition</b>
Nominating Panel	The Civic Appointments Committee or other committee or individual delegated the responsibility for recommending candidates for appointment. In most cases, this panel will also short-list and interview candidates, but in some cases, a separate recruiting panel will conduct the recruitment and short-listing process.
Qualifications	The specific skills and experience desired in board members to meet the needs of the individual boards. Qualifications for each board are set out in the companion document “Board-Specific Processes and Requirements for Public Appointments”.
Quasi-Judicial Bodies	Boards that conduct hearings to decide on individual cases; these are the Toronto Licensing Tribunal, the Rooming House Licensing Commissioner and Deputy, the Committee of Adjustment, and the Property Standards Committee.
Selection Bodies	This is a general term used in Section 7.9 to mean any committee or individual involved in making decisions during the appointments process. This includes recruitment committees and individuals, nominating panels, and Council as a whole.
Skills Registry	A confidential registry of candidates who have been interviewed by a nominating panel for one board and identified as having skills and competencies that might be applied to a position on another board. See Section 7.11.
Special Purpose Bodies (SPBs)	External bodies whose boards or memberships include City appointees. In some cases, Council is required by legislation to make appointments to specific external boards. In other cases, Council may make appointments at the request of the external board.
Staff Review Team	A City Staff Review Team, comprising representatives from Human Resources Human Rights, the Diversity Management and Community Engagement Unit, and the City Manager’s Office with other program and board staff as appropriate, who examine applications and provide the nominating panel with summary information on the applicants, as set out in Section 7.2.

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**City of Toronto**  
**Public Appointments Policy**

**Part I: Guiding Principles**

<b>Section</b>	<b>Subject</b>	<b>Policy</b>
1.1	Introduction	<p>A commitment to community participation and community service is considered key to the City of Toronto’s future. Part of that commitment can be fulfilled by recruiting and selecting Toronto residents who will provide high calibre direction as board members of City agencies, boards, commissions and corporations (ABCCs), pension bodies and external special purpose bodies (SPBs).</p> <p>The appointment of members of the public to serve on City boards is generally important to the City in order to:</p> <ul style="list-style-type: none"><li>(i) provide a variety of perspectives, reflecting the diversity of the community;</li><li>(ii) represent stakeholder groups;</li><li>(iii) bring specific skills and expertise that contribute to good governance;</li><li>(iv) represent specific groups of service users; and</li><li>(v) bring external funding, sponsorship, volunteers, or profile to the service.</li></ul>
1.2	Purpose of the Policy	<p>This policy provides a framework aimed at ensuring that the most suitable candidates are selected and appointed as board members.</p> <p>It provides a guide for Council Members and City staff involved in the process to ensure consistency, integrity, and fairness in administering the process and provides information about how the City’s process works for those who are interested in applying.</p>
1.3	Policy Applicability	<p>This policy applies to citizen appointments to City ABCCs and pension bodies, and external SPBs. It does not apply to the appointment of Members of Council to such bodies.</p> <p>Due to the high cost and time commitment of recruiting and selecting board members, the Civic Appointments Committee shall not be required to recommend appointments to City advisory committees.</p>

Section	Subject	Policy
		<p>For the purpose of implementing this policy, the City defines ‘citizen’ to include all persons who are residents of Toronto, including permanent residents, refugees, refugee claimants and residents without homes.</p>
		<p>This document articulates the general policy applicable to the appointments process. The accompanying document “Board-Specific Processes and Requirements for Public Appointments” details the requirements specific to each board and how this policy is applied.</p>
1.4	Open, Competitive, and Equitable Process	<p>The City has a commitment to an open, competitive and equitable appointments process to encourage broad participation of residents in the democratic functioning of the City:</p> <ul style="list-style-type: none"> <li>• Openness means that clear expectations for each position are identified, with expectations agreed to in advance and clearly communicated to all associated with the selection process.</li> <li>• Competition means that there is public and widespread recruitment for positions and a commitment to seeking the most suitable candidates and evaluating applicants on merit.</li> <li>• Equity means that practices are consistent with achieving participation that affirms the diversity of our society. Toronto’s commitment to a discrimination-free environment includes the responsibility to remove barriers to the recruitment, selection, and retention of members of systemically disadvantaged groups, including women, youth (ages 18 to 30), aboriginal people, people with disabilities, and racial minorities.</li> </ul>
		<p>Openness, competition and equity are values that should reinforce and complement one another. To ensure they do so, all involved must understand these concepts and how they can be advanced in the recruitment and selection of citizen candidates for appointment to City boards.</p>



<b>Section</b>	<b>Subject</b>	<b>Policy</b>
1.5	Selection Strategy	<p>Council recognizes that the needs of the City and the agencies are best met when candidates are matched to the boards' individual requirements. Council shall approve qualifications relevant to the responsibilities of the individual board and make appointments that ensure that the board members collectively cover the range of skills and experience required to effectively make decisions.</p> <p>Council also recognizes that the City is best served by boards that reflect the geographic distribution and diversity of the community that they serve. Proactive strategies in achieving this result shall be followed.</p>
1.6	Variations from this Policy	Because this policy reflects the basic principles and values of Council, any variation from this policy should only be implemented in unusual circumstances and such variation must be approved by City Council.

## **Part II: Eligibility and Qualifications**

<b>Section</b>	<b>Subject</b>	<b>Policy</b>
2.1	Eligibility Requirements	<p>Persons selected for an appointment must be:</p> <ul style="list-style-type: none"> <li>(a) residents of Toronto, and</li> <li>(b) at least 18 years of age (the age of majority in Ontario).</li> </ul> <p>To remain on the board, appointees are required to maintain this status throughout their term of office.</p> <p>Where required by law for specific boards, residents must also be Canadian citizens. Under current legislation, Canadian citizenship is required to serve on the Toronto Public Library Board.</p>
2.2	Former Members of Council	Former Members of Council who served on Council in the term immediately preceding the term for which appointments are being made are not eligible for appointment to the Toronto Licensing Tribunal.
2.3	Restrictions for Relatives of Members of Council	In accordance with Council policy, relatives of Members of Council (spouses and those in a conjugal relationship, children and parents) are not eligible for appointment to a City board.

<b>Section</b>	<b>Subject</b>	<b>Policy</b>
2.4	Restrictions for Staff	<p>Staff of the City or its agencies, boards, commissions and corporations (ABCCs) are not eligible to apply for a City board appointment, but they may be appointed on an ex-officio basis (by virtue of their position) to boards, or may be given the right to attend and participate in discussions at board meetings without being members of the board.</p> <p>Staff of the City or its ABCCs may be nominated by the City to serve on external boards, provided that this is within the eligibility requirements of the external board.</p>
2.5	Multiple Appointments	<p>To encourage the broadest degree of citizen involvement, no citizen shall serve concurrently on more than one City board, except that:</p> <ul style="list-style-type: none"> <li data-bbox="633 798 1450 871">(a) a member of a Business Improvement Area may also serve on one other City board;</li> <li data-bbox="633 913 1450 1018">(b) a citizen who is appointed to a City board may also be nominated by the City to serve on one external body to which Council recommends appointment(s);</li> <li data-bbox="633 1060 1450 1197">(c) one member of the Board of Trustees of the Metropolitan Toronto Pension Plan may also serve as a member of the Board of Trustees of the Metropolitan Toronto Police Benefit Fund; and</li> <li data-bbox="633 1239 1450 1386">(d) one independent member of the Toronto Fire Department Superannuation and Benefit Fund Committee may also serve as an independent member of the Toronto Civic Employees' Pension and Benefit Fund Committee.</li> </ul>
2.6	Board-Specific Qualifications	<p>In addition to general eligibility requirements, Council shall set out the specific skills and experience desired for each board. The objective is that Board members collectively cover the range of required qualifications, with individual members bringing a variety of perspectives, interests, or skills.</p> <p>Board members are not expected to have the same knowledge as staff of the agency in order to oversee agency business. They are expected to add a perspective beyond the staff view. The following guidelines are considered in establishing the qualifications:</p>

<b>Section</b>	<b>Subject</b>	<b>Policy</b>
		<p>(a) should relate to the ability to perform the duties of the board, including any necessary competencies;</p> <p>(b) should be clear, yet flexible, defining areas of specialization where required, experience, or community service; and</p> <p>(c) skills and knowledge requirements for the positions should not be more specialized than necessary.</p>

**Part III: Term and Length of Service**

<b>Section</b>	<b>Subject</b>	<b>Policy</b>
3.1	Term of Appointment	<p>A set term will be established for each ABCC. In general, the term is four years, coincident with the term of the Council that appoints the members or until a successor is appointed. Exceptions are noted below.</p> <p>Despite the term of appointment, all citizens are appointed at the pleasure of Council and Council retains the right to replace any appointed member at any time and for any reason.</p> <p>The Council document appointing board members shall state the name of the appointee, the board, the term of appointment and the fact that they are appointed at the pleasure of Council.</p>
3.2	Limits on Length of Service	<p>Acknowledging the value of experience and the need for continuity, incumbents who are eligible and willing to seek reappointment, may apply for a subsequent term.</p> <p>However, the City recognizes the importance of engaging as many residents as possible and infusing new ideas and perspectives from time to time. The limit on length of service for any citizen is 2 consecutive terms on the same board. Exceptions are noted below.</p>
3.3	Exceptions	
	(a) Community-Based Boards	<p>For community-based boards, the term is set by the board, but the term may not exceed four years.</p> <p>Any citizen who has served 8 or more consecutive years on a community-based board may not be reappointed to the same board in the following term.</p>

<b>Section</b>	<b>Subject</b>	<b>Policy</b>
	(b) Corporations	<p>For corporations established under the <i>Ontario Business Corporations Act (OBCA)</i>, <i>Ontario Corporations Act</i> or the <i>Canada Corporations Act</i>, the term for citizens is 2 years. Incumbents may be reappointed at the pleasure of Council for a renewal period of 2 years without a recruitment process. A full recruitment process is conducted every 4 years.</p> <p>The maximum number of consecutive 2-year terms for any citizen member on the board of directors is 4.</p>
	(c) External Special Purpose Bodies	<p>For external special purpose bodies, citizens are appointed for terms set by the body inviting the City to nominate a member.</p> <p>The limit for serving on an external special purpose body will depend on the requirements set by the body inviting the nomination. However, any citizen who has served 8 or more consecutive years on an external special purpose body may not be nominated by the City for a reappointment to the same board in the following term.</p>
	(d) Interest Group Nominees	<p>For nominees to any board from Interest Groups, the term is coincident with the term of the board. Nominees from Interest Groups are exempt from the limits on the maximum length of service on the board.</p>
3.4	Partial Terms	<p>When an appointment is made to fill a vacancy during the last half of the term of the board, the balance of the term shall not count toward the maximum length of service on the board for the appointee. However, any partial service longer than half of the usual term will be counted as a full term toward the maximum length of service.</p>
3.5	No Staggered Terms	<p>Due to the high cost and time commitment of recruiting and selecting board members, the City's policy is to not encourage staggered terms. The full recruitment process is performed only at the beginning of each term of Council or at the beginning of a new board term for corporations. Gradual turnover can be achieved by the nominating panel ensuring that there is a balance of new members and returning incumbents recommended for each term.</p>
3.6	Continuation Past the End of the Term	<p>Members continue to serve on a board past the end of their term, at the pleasure of Council, until successors are appointed.</p>

Section	Subject	Policy
		<p>Members who serve on quasi-judicial bodies governed by the <i>Statutory Powers Procedure Act, 1990</i>:</p> <ul style="list-style-type: none"> <li>(a) are required under that act to continue beyond their term of office or resignation date to complete hearing any matters of which they are seized; and</li> <li>(b) may continue beyond their term of office until such time as sufficient numbers of incoming new members have completed any mandatory orientation and training.</li> </ul> <p>Where a member dies in office or is removed from the Board by Council, the hearing of the quasi-judicial body may proceed with the remaining quorum or procedures for a re-hearing should be followed by the Board.</p>
3.7	Reappointments When Maximum Service Reached	<p>To ensure a healthy turnover of board members, effort should be made to achieve a balance between new members and those with experience serving on the board.</p> <p>Subject to the exceptions noted below, incumbents who reapply for appointment beyond the stated maximum length of service on the same board will be deemed ineligible. Their applications can only be considered under special circumstances, such as when an insufficient number of applications have been received:</p> <ul style="list-style-type: none"> <li>(a) from eligible and qualified applicants for positions on the board, or</li> <li>(b) from incumbents who are eligible to be reappointed, and the board would suffer from a lack of continuity if all members are replaced at once.</li> </ul> <p>Any recommendation to reappoint an incumbent who has reached his or her sunset date shall identify these special circumstances and recommend a waiver of the limit on length of service.</p>
3.8	Vacancies	<p>A vacancy on the board is created when a member resigns or vacates the position for any reason, effective the earliest of:</p> <ul style="list-style-type: none"> <li>(1) the date of resignation;</li> <li>(2) the date the member ceases to be qualified;</li> <li>(3) the date the member is removed by Council; or</li> <li>(4) the date of death or other incapacitation.</li> </ul>

Section	Subject	Policy
3.9	Leaves of Absence	<p>Where a vacancy occurs before the end of the term for boards where Type 1 or Type 3 Recruitment Methods are used (see Sections 4.4 and 4.6), candidates will be selected to fill the vacancy from the list of qualified candidates having due regard for the balance of skill sets required and diversity objectives. Where possible candidates will be chosen from the list of alternates (see Section 7.10), the short-list of qualified candidates used in the process at the beginning of the term (see Section 7.3), or the skills registry (see Section 7.11).</p> <p>Citizen board members who run for elected office, or seek an appointment to City Council to fill a vacancy on Council, shall take a leave of absence from the board. The leave is required to begin as of the day the member is nominated for election or applies for appointment to City Council.</p> <p>Board members who wish to request a leave of absence for an extended period of time, may submit such request to the board. The board will forward such approved request to the relevant nominating panel for appropriate action.</p> <p>The vacancy may be filled on a temporary basis for the period of the leave in accordance with the processes noted above in section 3.8 “Vacancies”.</p>

**Part IV: Recruitment Methods**

Section	Subject	Policy
4.1	Timing of Appointments	<p>Generally, the public appointments process will begin as soon as possible after the municipal election to allow the nominating panel to consider potential applicants as soon as possible in the new term. The timing may vary for those boards with different terms (such as the corporations, community-based boards and external special purpose bodies).</p>

Section	Subject	Policy
4.2	Nominating Panel	<p>The term ‘nominating panel’, used in this policy, refers to the Civic Appointments Committee or other committee or individual delegated the responsibility for recommending candidates for appointment. In most cases, this panel will also short-list and interview candidates, but in some cases, a separate recruiting panel will conduct the recruitment and short-listing process.</p> <p>City Council shall determine the appropriate nominating panel and associated recruitment methods to be used for each board and are defined in the companion document “Board-Specific Processes and Requirements for Public Appointments”.</p>
4.3	Recruitment Methods	<p>The type of qualifications being sought for citizen board members will determine the recruitment method.</p> <p>Recruitment methods for any one board may be one or more of the following:</p> <ul style="list-style-type: none"> <li>Type 1: Advertised Recruitment</li> <li>Type 2: Interest Group Nomination</li> <li>Type 3: Multiple Sourcing Using a Search Consultant</li> <li>Type 4: Nomination by Invitation</li> </ul> <p>Each of these methods is described in fuller detail below in Sections 4.4 to 4.7.</p>
4.4	Type 1: Advertised Recruitment	<p>The Advertised Recruitment process is the standard process used by the City and is appropriate where the skills and interests required are general in nature. Applications are invited from the public at large through media advertising and outreach programs.</p>
4.5	Type 2: Interest Group Nomination	<p>Where Council wishes to represent the interests of stakeholders on a board or to obtain special expertise from a professional or technical organization, the composition of the board will designate one or more positions as being nominated by specific interest groups.</p> <p>In that case, the designated special interest group, stakeholder group, organized service user group, funding partner, labour representative or professional/technical organization is invited to nominate members. This requires that Council rely on the ability of the interest group to nominate appropriate and effective representatives. It also requires that the interest group is organized in a way that would make such nomination possible.</p>

Section	Subject	Policy
4.6	Type 3: Multiple Sourcing Using a Search Consultant	<p>Where required by the nomination process for specific boards, the interest group will nominate more candidates than positions for further consideration and selection by the nominating panel. More information is available in the companion document “Board-Specific Processes and Requirements for Public Appointments”.</p> <p>This process is appropriate when multiple sources are used to recruit applicants for a board that requires specific expertise and experience in one or more given fields. Such sources as media advertising, the skills registry (See Section 7.11), consultant’s database of experienced directors, professional organizations and business associations may be used.</p> <p>The engagement of a professional recruiter may be used to assist the City in seeking, screening, and interviewing qualified candidates. Search consultants shall be selected based on their detailed knowledge of the Board’s requirements and their experience in recruiting for boards with similar needs.</p>
4.7	Type 4: Nomination by Invitation	<p>The Nomination by Invitation process is only appropriate where high profile or philanthropic individuals are being actively recruited or where Council delegates the authority to nominate or appoint specific positions to a City official such as the Mayor or a senior City staff person.</p> <p>The nominating panel or City official will seek citizens who would bring the desired benefits and skills to the board. A facilitator may be engaged to approach the individuals and offer the position.</p> <p>This method requires that Council in effect delegate responsibility for the appointment to the nominating panel or City official.</p>
4.8	Board Composition and Recruitment Method Types	<p>The composition of each board will be determined by Council based on the needs of individual boards, City interests, the impact of decisions made by the board, the nature of the decisions, and the diverse perspectives/influences needed to facilitate delivery of the board’s mandate.</p>



Section	Subject	Policy
		<p>The composition may reflect the desirability of having any one or several of:</p> <ul style="list-style-type: none"> <li>(a) councillors to represent Council interests;</li> <li>(b) individuals with specific skills, expertise or experience (Type 1 or Type 3 process);</li> <li>(c) representatives from interest groups or stakeholders (Type 2 process);</li> <li>(d) local community perspective or service user perspective (Type 2 process);</li> <li>(e) City official perspective (Type 4 process);</li> <li>(f) members of supportive volunteer community or funding partners (Type 2 process);</li> <li>(g) high profile individuals who can influence other support groups, funding, volunteers (Type 4 process); and</li> <li>(h) where the diversity of the community at large is the primary criteria (may apply using any Type).</li> </ul> <p>For any one board, a combination of recruitment processes may be employed. Within each general process, other variations may be appropriate such as limiting the breadth of the recruitment area, as for community-based boards where it is appropriate to limit the recruitment area to the local community. Recruitment methods will include strategies to attract diverse candidates.</p>
4.9	Advertising Vacancies	<p>The extent and type of advertising may vary with the selection process and type of board. General advertising is only required for Type 1 recruitment process targeted to the general population. Media advertisements are generally placed by the City Clerk in accordance with the City's advertising policy.</p> <p>For active outreach to designated groups, advertising may be specifically targeted to the particular groups where there are potential members, such as ethnic newspapers, trade bulletins and publications and community newsletters.</p> <p>The advertisement should describe the position broadly enough to elicit a wide response from qualified applicants and outline the eligibility criteria and key qualifications for the position.</p> <p>Where applicable, the advertisement should direct potential applicants to the City's or the agency's web site for more detailed information on the agency and its board.</p>

Section	Subject	Policy
		<p>Applicants may also be directed to the City Clerk’s Office, public libraries and public access locations in Civic Centres for a profile of the position that may include qualifications, responsibilities, time commitment, timing and location of meetings, and remuneration.</p> <p>The advertisement shall specify the process for submitting applications, identify the date, time and location of any information sessions, specify a deadline date for receipt of applications, and advise that late applications may not be considered.</p> <p>All advertisements shall emphasize that the City encourages applications from diverse communities.</p>
4.10	Diversity Outreach	<p>City staff may also conduct advance outreach initiatives to ensure that equity-seeking groups who were identified as being under-represented in the applicant pool during the previous round of appointments, are aware of upcoming opportunities and the process for applying.</p>
4.11	Information Sessions	<p>In addition to the advance outreach initiatives referred to in 4.10 “Diversity Outreach” above, City staff will conduct advertised public information sessions at the start of the Advertised Recruitment Process.</p> <p>Attendance at an information session is not mandatory. Applicants are expected to obtain the information they need in order to meet the submission deadline and other application requirements.</p> <p>The information session for interested applicants does not take the place of member orientation by the City and the agency after appointment.</p>

## **Part V: Application Process**

- 5.1 Applications Application forms shall be made available in the City Clerk’s Office and in public access locations in Civic Centres. Wherever possible, application forms shall also be made available in electronic form on the City’s web site, together with detailed information on the application process and requirements.
- Applicants may submit their completed application forms electronically.
- Applicants are requested to attach a short bio (summary of biographical information) that will be made public if the applicant is appointed, and may submit a resume or other pertinent information along with the completed application forms.
- 5.2 Incumbents Must Reapply Incumbents who are eligible and willing to seek reappointment to a City ABCC or external special-purpose body must reapply in the same manner as other applicants, except for incumbents who have served 2 years on a corporation and may be reappointed at the pleasure of Council for a renewal period of 2 years without a recruitment process, as provided for in Section 3.3 (b) above.
- 5.3 Multiple Applications Applicants may apply for more than one board; however, applicants who wish to apply for an appointment to the Committee of Adjustment shall be limited to:
- (a) choosing one panel as their first choice, and
  - (b) if interested, choosing one other panel as a second choice.
- Applicants applying for more than one board must submit a separate application form for each board. This requirement does not apply to candidates who have been interviewed by a nominating panel and identified for possible consideration for other board appointments where skills and competencies are similar (See Sections 5.8 and 7.11).
- 5.4 Applicants – Potential Conflicts Applicants should consider whether they have a real or perceived conflict of interest with the board, including any direct or indirect pecuniary interest with the City. As part of the application process, applicants must identify and disclose any actual or potential conflicts of interest they may have.

Potential conflicts of interest may include, but are not limited to applicants, or their spouses, partners or children:

- currently doing business with, or working as a consultant for the agency or the City,
- for appointment to quasi-judicial bodies, being engaged in a business over which the quasi-judicial body has jurisdiction; or
- serving as a lobbyist during the current or previous term of Council on issues affecting the agency.

Other potential conflicts could include applicants having:

- any interest, direct or indirect, in outstanding litigation involving the City or the agency; or
- any tax arrears that remain outstanding to the City beyond the current year, whether for private or commercial property or business taxes.

Disclosure of such potential conflicts does not mean that an applicant is automatically ineligible for an appointment, but the nominating panel may assess potential conflicts in its determination of whether the applicant should be considered further.

5.5 Self-Identified  
Diversity Information

To enable the City to achieve its objectives for access, equity and diversity and to assist the City in its efforts to appoint boards that reflect the diversity of the community, applicants are encouraged to include self-identified information in their applications for an appointment.

The application booklet will include a self identification form where applicants can provide information about their gender, age group, aboriginal status, racial group, disability status, or sexual orientation.

5.6 References from  
Members of Council

The practice of Members of Council providing references in support of individuals who have applied for a board appointment shall be governed by Council's Code of Conduct and by Council rules that state:

- (i) a Member of Council shall not provide a reference in support of an applicant for an appointment to a City Agency, Board or Commission, or any other position or office with the City of Toronto, unless that Member of Council has had an employment or other relevant relationship (such as that of teacher or volunteer group supervisor) with the person requesting the reference;

- (ii) even where there is such a relevant relationship, a Member of Council shall not provide a reference for any person:
  - (a) who is a relative of the Member of Council as defined in the City of Toronto's policy regulating the hiring of relatives or other employees, or
  - (b) whose only relevant relationship with the Member of Council has been as a member of the public service of the City of Toronto or a City of Toronto ABC (with the exception of the Member's own staff);
- (iii) in the case of a City of Toronto ABC (and any other situations in which Members of Council participate as decision-makers in a City of Toronto appointment process), no participating Member of Council shall act as a reference for a candidate for appointment, and, where a participating Member of Council would otherwise be eligible to act as a reference, the Member of Council shall declare that fact to the appointing authority;
- (iv) for the purposes of these rules, providing a reference includes both written and verbal references and any other form of intervention on behalf of the person in question. However, it does not extend to sending on (without comment) letters of inquiry about possible appointments or positions with the City of Toronto to the relevant hiring authority (or nominating panel); and
- (v) unless the circumstances clearly indicate otherwise, a Member of Council shall:
  - (a) not provide references where the only basis for doing so is to use the influence of their office or to help someone the Member knows merely as a constituent, friend or relative; and
  - (b) confine the provision of references to situations where the Member has relevant personal experience with the candidate.

## 5.7 Submission Deadlines

The nominating panel shall consider only applications received in the prescribed form by the deadline date. Late applications shall not be considered.

In cases where there are insufficient applications from qualified and eligible applicants, the nominating panel may extend the deadline for applications or take other steps as outlined below in section 7.3. Public notice of any extension to the deadline shall be given.

5.8	Portability of Skills	With the permission of the applicant, where skills and competencies are similar for different boards, applicants who apply for one board may be identified by the nominating panel during the interview process for consideration on another board with similar requirements.
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**Part VI: Privacy Issues, Codes of Conduct, Conflict of Interest**

<b>Section</b>	<b>Subject</b>	<b>Policy</b>
6.1	Members of Council – Potential Conflicts of Interest	<p>Members of Council are governed by the <i>Municipal Conflict of Interest Act</i>. Members of Council who have a conflict of interest or who perceive a conflict of interest with respect to an applicant for a board appointment, must declare the conflict at any meeting where they are present and the matter is being discussed. Where the meeting is not open to the public (in-camera), Members of Council must declare the conflict and leave the meeting or the part of the meeting during which the matter is under consideration.</p> <p>Council policy on the appointment of relatives of Members of Council to City boards, and Section 2.3 of this policy, states that spouses of, those in a conjugal relationship with, and children and parents of Members of Council are not eligible for appointment to City boards.</p> <p>The City of Toronto Employment of Relatives Policy permits other relatives to be considered for an appointment. These other relatives include:</p> <ul style="list-style-type: none"> <li>• siblings and children of siblings; or</li> <li>• fathers-in-law, mothers-in-law, brothers-in-law, sisters-in-law, sons-in-law and daughters-in-law.</li> </ul> <p>In accordance with Council policy:</p> <p>(a) where a Member of Council is a member of a nominating panel, he or she shall declare a conflict of interest and withdraw from any appointments process, both as a member of a nominating panel or at Council, if a relative (as defined in the City of Toronto Employment of Relatives Policy) is being considered as a candidate for appointment, and</p>

Section	Subject	Policy
		<p>(b) Members of Council shall also withdraw from debating and voting at Council if the recommendation is for the appointment of a relative.</p> <p>A business relationship between a Member of Council and an applicant should also preclude the Member from participating in the appointments process. Members of Council who have a conflict of interest or perceive a conflict of interest should declare the conflict and abstain from any discussion and voting on the appointment.</p>
6.2	Information Provided to Members of Council and Designated City Staff	<p>Members of Council shall be notified of the meeting dates of the Civic Appointments Committee and, upon request, shall be permitted to review a confidential list of applicants who have applied prior to the short-listing process (subject to any Conflicts of Interest and other restrictions imposed under Council policy relating to the giving of references by Members of Council).</p> <p>Only members of the nominating panel and designated City staff who are providing support in the selection process shall be provided with copies of the applications. However, other Members of Council, who will be voting at Council when the nominations are considered, may request to see the applications.</p> <p>Should a written examination be required for any appointment (such as for the Toronto Licensing Tribunal), only the staff or consultants directly involved in the examination process shall see the completed exams, and these completed exams shall remain confidential.</p> <p>Members of the nominating panel and any other Member of Council who so requests the information will be provided with the averaged total scores for all applicants who took the exam, but will not be permitted to see the completed exams.</p>
6.3	Confidentiality Requirements and Obligations	<p>Members of Council shall return all applications and related confidential material in their possession (including any lists of applicants) to the City Clerk once Council approves the appointments.</p>

Section	Subject	Policy
		<p>Members of Council may not copy, disclose or otherwise disseminate information contained in any confidential lists of applicants, or in any applications, confidential reports, or other information received at in-camera sessions, nor may they repeat any confidential information heard at those meetings.</p> <p>The <i>Municipal Freedom of Information and Protection of Privacy Act</i> (MFIPPA), imposes mandatory confidentiality obligations on the City of Toronto and Members of Council to refrain from disclosing personal information and to protect the privacy of information obtained in in-camera sessions.</p> <p>These mandatory obligations are further strengthened by the provisions of the Code of Conduct for Members of Council. These provisions prohibit Members of Council from disclosing confidential information obtained as a result of their office, including personal information under MFIPPA.</p> <p>There are strict consequences for privacy breaches in contravention of MFIPPA.</p>

**Part VII: Selection Process**

Section	Subject	Policy
7.1	Screen for Eligibility	<p>The City Clerk will review the eligibility requirements and identify those applicants that are ineligible for appointment either because they have not met the eligibility criteria or due to late submission. The City Clerk will also identify which applications are incomplete and whether an applicant is a current incumbent and, if so, the length of service.</p>
7.2	Staff Review Team	<p>A City Staff Review Team, comprising representatives from Human Resources Human Rights, the Diversity Management and Community Engagement Unit, and the City Manager’s Office with other program and board staff as appropriate, will examine the applications.</p> <p>The Staff Review Team will apply this Public Appointments Policy and the board-specific qualifications as approved by Council to reach a consensus on how each applicant demonstrates each required qualification for the position.</p>



**Section****Subject****Policy**

The Staff Review Team will prepare a summary for each applicant that shows:

- (a) name;
- (b) whether eligible and reason if not eligible (e.g., late application, non-resident, under 18, etc.) and whether the application is complete;
- (c) the ward of residence;
- (d) whether a current incumbent and, if so, length of service;
- (e) which qualifications are sufficiently demonstrated in the application, sorted in order of most qualified first;
- (f) disclosed diversity information; and
- (g) disclosed potential conflicts of interest.

The City Staff Review Team will also provide the results of any relevant board evaluation that may have been conducted.

**7.3 Short-listing Process**

The nominating panel shall meet in private to short-list candidates for interview.

A staff member of the City Manager's Office will be the policy advisor to the nominating panel. The Staff Review Team and any program staff identified by the nominating panel shall be invited as advisors/observers.

The nominating panel will review the applications and the summaries prepared by the Staff Review Team to determine whether additional information about any candidate should be obtained before proceeding with the short-listing process and direct staff to secure the information needed. The nominating panel may also refuse to consider incomplete applications without seeking further information.

Where there are insufficient numbers of applicants to conduct a competitive selection process, the nominating panel may:

- (a) extend the deadline for submissions;
- (b) refer to the skills registry for additional qualified applicants (See Section 7.11);
- (c) request City staff to pursue aggressive recruitment activities and/or re-advertise the position; or
- (d) consider recommending waiving the limits for length of service to re-appoint incumbents that have served the maximum terms.

Section	Subject	Policy
		<p>Once the nominating panel determines that there are a sufficient number of applicants, the applicant pool should be screened with the goal of arriving at a ‘short-list’ of excellent candidates to interview. The selection is to be based on the explicit position-related criteria set by Council, geographic distribution, and diversity objectives. The nominating panel should also assess any identified potential conflicts of interest.</p> <p>Current board members should be evaluated in the same way and by the same criteria as new candidates, but the nominating panel may also consider the results of any board member evaluation process that may have been conducted.</p>
7.4	Testing	<p>Where a written or other test is required, the Staff Review Team will develop and administer the test to all short-listed candidates. Only the averaged total scores for each candidate will be made available to the nominating panel on the day of the interview (or to Council if requested). The test questions, the individual test papers and individual scorer marks will not be made available to anyone except those administering the test.</p>
7.5	References	<p>If selected for an interview, the nominating panel may request that interviewees provide the names of three people who can provide references. Staff will conduct the references check and provide the resulting information to the nominating panel on the day of the interviews. Reference information shall remain confidential.</p>
7.6	Interviewing Candidates	<p>Interview questions shall be agreed upon in advance and all candidates will be asked the same questions.</p> <p>Members of the Staff Review Team and any program staff identified by the nominating panel shall also be invited as advisors/observers.</p> <p>Interview candidates will be required to sign their application forms and any other release forms on the day of the interview if they have not already done so (as may be the case when applications are submitted electronically).</p> <p>On the day of the interview, staff will provide the nominating panel with the results of any required written tests, results of reference checks performed, and any other information requested by the nominating panel.</p>

Section	Subject	Policy
7.7	Attendance During Interviews	A member of an interview panel must be in attendance for interviews of all candidates for any board in order to vote on the selection.
7.8	Evaluating Qualifications	<p>The nominating panel should review the areas of expertise being sought, and understand the criteria that will be used to evaluate candidates.</p> <p>The nominating panel should take the following criteria into consideration in evaluating qualifications of candidates:</p> <ul style="list-style-type: none"> <li>(a) how well qualifications are demonstrated on the application,</li> <li>(b) test results where tests were administered;</li> <li>(c) strength of answers to interview questions;</li> <li>(d) references if requested; and</li> <li>(e) board evaluations if undertaken and available.</li> </ul>
7.9	Selection Objectives	<p>All selection bodies will strive to achieve a balance of:</p> <ul style="list-style-type: none"> <li>(1) qualified applicants covering the range of qualifications specified for the board;</li> <li>(2) experienced and new members;</li> <li>(3) geographic representation; and</li> <li>(4) representation of the diversity and demographics of the community including age, gender, sexual orientation, aboriginal status, race and disability.</li> </ul> <p>The nominating panel shall recommend to Council one person for each vacant position.</p>
7.10	Alternates	<p>In addition to the candidates recommended to Council for appointment, the nominating panel is encouraged to identify a number of alternates from the short-listed candidates for first consideration when vacancies occur during the term. The names of identified alternates are submitted to Council, under confidential cover, along with the names of the nominees being recommended for the appointment. The names of identified alternates should remain confidential, but these individuals may be advised of their status.</p> <p>When a vacancy occurs before the end of the term, the City Clerk shall contact identified alternates to verify continued eligibility and interest. The City Clerk shall report this information to the nominating panel for their consideration for nomination.</p>

Section	Subject	Policy
7.11	Skills Registry	<p>Candidates who have been interviewed by a nominating panel may be identified as having skills and competencies that might be applied to a position on another board. With the permission of the applicant, these candidates may be included for the balance of the term of Council in a confidential skills registry (in accordance with the relevant <i>Municipal Freedom of Information and Protection of Privacy Act</i> (MFIPPA) guidelines).</p> <p>When a vacancy occurs for a board where there are no eligible alternates to be considered for the appointment, the nominating panel may refer to such skills registry.</p>
7.12	Reporting to Council	<p>The names of individuals recommended for an appointment will be submitted to Council under confidential cover. The names and bios (brief summaries of biographical information) of successful appointees will become public once Council has approved the appointments.</p> <p>Other personal information about an individual will only be disclosed where the individual agrees to such disclosure.</p> <p>If Council wishes to discuss the recommended nominees, it shall do so in-camera.</p>
7.13	Communication Following the Appointments	<p>When Council, or other delegated authority, makes an appointment, the City Clerk or other designated person shall immediately advise all applicants of the status of their applications, thanking all candidates for their interest. All applications shall be acknowledged after Council has made appointments to the boards.</p> <p>Following the Council appointment or nomination to an external special purpose body, the City Clerk or other designated person shall include:</p> <ul style="list-style-type: none"> <li data-bbox="643 1581 1442 1728">(a) in a letter to the external special purpose body, a request that such body provide the City's appointee with information regarding that body's Directors and Officers Liability Insurance, and</li> <li data-bbox="643 1755 1442 1894">(b) in a letter to the City's appointees or nominees, a suggestion that they may wish to follow-up with the external body to get information about indemnity coverage for members of the board.</li> </ul>

<b>Section</b>	<b>Subject</b>	<b>Policy</b>
		Information on indemnity coverage for appointees to City boards is provided for in Section 8.1 “Orientation for New Board Members” below.
7.14	Diversity Monitoring	<p>Self-identified diversity data at each stage of the selection process (applicant pool, short-listed candidates, appointed members) may be monitored and reported on in summary form. The identities of specific candidates shall be kept confidential.</p> <p>The purpose of this monitoring is to assess how well Council’s diversity objectives have been met and ascertain what improvements could be made such as targeted outreach or removing barriers to participation.</p>

### **Part VIII: Standards of Conduct for City Appointees**

<b>Section</b>	<b>Subject</b>	<b>Policy</b>
8.1	Orientation for New Board Members	<p>Board and City staff shall arrange briefing session(s) to provide an initial orientation for all newly appointed members on the operation of the board and City expectations. Topics should include information related to the board’s mandate, current issues, program statistics and operations, as well as the board’s relationship to the City, Code of Conduct and City policies and objectives for the board including the City’s objective of removing barriers to accessing services in a diverse community.</p> <p>In certain cases, new appointees may be required to attend mandatory training (e.g., for quasi-judicial bodies, such as the Toronto Licensing Tribunal and the Committee of Adjustment).</p> <p>Following the appointment to a City agency, staff of the City or the agency or both shall include information on the Directors and Officers Liability Insurance in the orientation materials provided to new board members.</p>
8.2	General Standards of Conduct	Members of the public who are appointed to a City board shall serve and be seen to serve in a conscientious and diligent manner, and in a manner that accommodates access to services by the City’s diverse communities.

Section	Subject	Policy
		<p>No member of a City board shall use the influence of the office to which he or she is appointed for any purpose other than for the exercise of official duties.</p>
		<p>Members are expected to perform their duties in a transparent manner that promotes public confidence and will bear close public scrutiny.</p>
		<p>Members shall strive to serve the public interest by upholding both the letter and the spirit of the laws and policies established by the Federal Parliament, Ontario Legislature and the City of Toronto Council as well as any policies established by the board.</p>
8.3	Ceasing to Meet General Requirements	<p>Any board member who accepts an office or employment, or has a conflict of interest that is incompatible with continued service on the board, ceases to be a resident of Toronto, or ceases to meet other general requirements of the appointment set out in Part II of the policy shall immediately notify the board, and the board shall so notify the relevant nominating panel for appropriate action.</p>
8.4	Meeting Attendance Requirements	<p>The board or a quasi-judicial tribunal or panel has the discretion to permit or excuse a member's absence without further action.</p> <p>Board members who are absent from two (2) consecutive regularly scheduled meetings of the board, without permission of the board, are to be contacted by the Chair or Secretary to confirm their commitment to the board. When any board member is absent for three (3) consecutive regularly scheduled meetings of the board, without permission of the board, the board shall provide written notice of the absence to the relevant nominating panel for appropriate action.</p> <p>In the case of quasi-judicial tribunals, members who are absent from all scheduled hearings held during the previous two (2) consecutive months, without permission, are to be contacted by the Chair or Secretary to confirm their commitment. When any of the quasi-judicial members are absent from all scheduled hearings held during the previous three (3) consecutive months, without permission, the quasi-judicial tribunal or panel will provide written notice of the absence to the relevant nominating panel for appropriate action.</p>

<b>Section</b>	<b>Subject</b>	<b>Policy</b>
8.5	Board Assessment Process	<p>Board members and the boards as a whole may undergo an evaluation process during the term.</p> <p>This evaluation will be co-ordinated through City staff and may include an evaluation where members are assessed by Councillors on the board, senior board staff and City staff that interact with the board or other relevant contacts.</p> <p>As part of the assessment, attendance and level of participation should be considered. Staff of the City and the board will be involved in the development of a standard evaluation criteria that may be used.</p>