
Subject: Chief Administrative Officer (CAO) Recruitment – Regional Councillor
Appointments to the CAO Recruitment Committee

Report to: Regional Council

Report date: Thursday, December 17, 2020

Recommendations

1. That a Chief Administrative Officer (CAO) Recruitment Committee **BE FORMED**;
2. That, in accordance with the Terms of Reference in Procedure C-HR-026-00, four (4) Regional Councillors **BE APPOINTED** to the CAO Recruitment Committee; and
3. That the rules of procedure **BE SUSPENDED** to permit Regional Chair Bradley to hold the position of Committee Chair of the CAO Recruitment Committee; and
4. That the process for selecting members of Regional Council to serve on the CAO Recruitment Committee **BE CONDUCTED** at this time.

Key Facts

- The purpose of this report is to obtain Council's approval to appoint four (4) members of Regional Council to serve on the CAO Recruitment Committee along with the Regional Chair.
- On February 20, 2020, Council approved C-HR-026 – CAO Recruitment Selection Offer and Performance Management Policy (the "Policy") and the corresponding C-HR-026-001 – CAO Recruitment Selection Offer of Employment Procedure (the "Procedure") – both are attached as appendices to this report.
- The Policy outlines the roles and responsibilities of those in the recruitment process, and the Procedure further details the recruitment process for the position of CAO through the Terms of Reference therein.
- The Terms of Reference include the formation of a CAO Recruitment Committee that will be comprised of the Regional Chair, who will serve as Committee Chair, and four (4) members of Regional Council to be appointed by Regional Council.
- Members who are appointed to the CAO Recruitment Committee must be able to commit to full and active participation over the course of the CAO recruitment, including mandatory attendance at all meetings, interviews, etc. as noted herein.

- On November 19, 2020, through Report CHR 6-2020, Council approved to undertake a formal recruitment process for the CAO and to extend the employment contract of the Acting CAO until such time that a permanent CAO is in the role.

Financial Considerations

There are no financial implications associated with this report concerning the appointment of Regional Councillors to the CAO Recruitment Committee, save and except staff time to undertake the work, and members of Council time to sit on the Committee.

Moving forward, any costs related to CAO recruitment activities in 2021, including costs incurred for the services of an external executive search firm selected by the CAO Recruitment Committee, will be funded through the upcoming Council approved 2021 budget.

Analysis

The role of CAO is a critical leadership position and provides strategic direction at Niagara Region, as per responsibilities outlined in the *Municipal Act, 2001*, and is accountable to all of Regional Council. A transparent, competitive, and comprehensive recruitment process, in alignment with Niagara Region policies and in consideration of the recommendations from the Ontario Ombudsman Report “Inside Job”, is essential to fill the role of CAO in a proper and timely manner as described in this report and its appendices.

On February 20, 2020, Regional Council approved Report HR 1-2020 *REVISED* – Chief Administrative Officer (CAO) Recruitment, Selection, Offer of Employment and Performance Management Policy and Procedures which included, attached as Appendix 1, Policy C-HR-026 – CAO Recruitment Selection Offer and Performance Management (the “Policy”) and, attached as Appendix 2, the corresponding C-HR-026-001 – CAO Recruitment Selection Offer of Employment Procedure (the “Procedure”).

The Policy and Procedure outline the recruitment process for the position of CAO through the associated Terms of Reference included in the Procedure. The Terms of Reference include the formation of a CAO Recruitment Committee that will be comprised of the Regional Chair, who will serve as Committee Chair, and four (4) members of Regional Council to be appointed by Regional Council. The process for appointing members of Regional Council to serve on the CAO Recruitment Committee

will take place at the Regional Council meeting on December 17, 2020. The Procedure outlines the following as it pertains to attendance:

...It is mandatory that members of the CAO Recruitment Committee actively participate in all stages of the CAO recruitment process, with specific attention paid to attending all CAO candidate interviews, at any/all steps of the process, specifically as follows:

- (1) CAO Recruitment Committee member attendance at all candidate interview(s) is mandatory. A member of the Recruitment Committee who is absent for any candidate interview shall be deemed to have resigned from the committee and Regional Council will be notified.*
- (2) A member of the CAO Recruitment Committee who is absent for two (2) consecutive non-interview meetings shall be deemed to have resigned from the committee and Regional Council will be notified.*

Upon notification of a vacancy on the Committee as a result of the above, Council may consider the appointment of a new member to the Committee or not replacing the member, depending on the stage the recruitment process has reached. The aforementioned does not preclude Council from re-appointing the Committee member in question.

Furthermore, there are a number of commitments expected by members of Council who are appointed to the CAO Recruitment Committee; in addition to attending meetings as called by the Chair, it is expected that members of the Recruitment Committee will, with the support of Region staff:

- Be orientated to By-laws, Policies, and Procedures relevant to the recruitment of a CAO.
- Be educated on the roles, responsibilities and accountabilities of their role including confidentiality and ethics based expectations.
- Hold in strict confidence all confidential information concerning matters dealt with by the Committee; members will be required to execute a confidentiality acknowledgement (attached as Appendix 3) at the outset of the recruitment and selection process.
- Approve the scope of work and select the External Executive Search Firm (ESF) to work with the Recruitment Committee on the recruitment and selection process.
- Engage in a thorough and comprehensive analysis of the position requirements of Senior Leader competencies, skills, experience, knowledge and qualifications of the role of CAO.

- Engage in consultation with the Corporate Leadership Team, other relevant staff, including community stakeholders that may be included in the recruitment and selection process.
- Support the ESF in providing detailed updates to Council concerning the recruitment and selection process, along with responding to any inquiries made by members of Council.
- Approve the recruitment methodology inclusive of any testing and/or evaluations.
- Review short list of candidates recommended to the Recruitment Committee by the ESF.
- Interview and assess selected candidates with the intent to identify preferred candidate(s).
- Make a recommendation on preferred candidate(s) to Regional Council for consideration.

Upon completion of the appointment of four (4) members of Regional Council to the CAO Recruitment Committee, in consultation with the Chair of the CAO Recruitment Committee (the Regional Chair) an initial CAO Recruitment Committee meeting will be scheduled at the earliest opportunity in 2021. In consultation with the Director, Human Resources, and the support of Regional staff, in accordance with the Policy and Procedure, the CAO Recruitment Committee will proceed to approve the scope of work and commence the process to select an ESF.

Additionally, in accordance with the Procedure, regular, detailed written updates will be provided to Regional Council throughout the CAO recruitment and selection process up to and including particulars of preferred candidate(s) being presented to Regional Council for approval, which will include participation of the ESF representative.

Alternatives Reviewed

No alternatives were reviewed as this report is as a result of Regional Council approval of Report HR 01-2020 *REVISED* – Chief Administrative Officer (CAO) Recruitment, Selection, Offer of Employment and Performance Management Policy. This report included the approval of C-HR-026 - CAO Recruitment Selection Offer and Performance Management Policy and corresponding procedure, which outlines the formation of a CAO Recruitment Committee. Additionally, through Report CHR 6-2020, Regional Council approved to undertake a formal recruitment process for the CAO.

Relationship to Council Strategic Priorities

Regional Council's prior approval of Report HR 01-2020 *REVISED* – Chief Administrative Officer (CAO) Recruitment, Selection, Offer of Employment and Performance Management Policy and corresponding Procedure aligns with Council's Strategic Priority of Sustainable and Engaging Government.

Other Pertinent Reports

- HR 01-2020 *REVISED* – Chief Administrative Officer (CAO) Recruitment, Selection, Offer of Employment and Performance Management Policy and Procedures
- CHR 6-2020 Options for Consideration Regarding the Selection of the Chief Administrative Officer

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This report was prepared in consultation with Ann-Marie Norio, Regional Clerk and Daryl Barnhart, Executive Officer to the Regional Chair.

Appendices

Appendix 1 – C-HR-026 CAO Recruitment Selection Offer and Performance Management Policy

Appendix 2 – C-HR-026-001 CAO Recruitment Selection Offer of Employment Procedure

Appendix 3 – Recruitment Process Confidentiality Acknowledgment – Non-Employee