
Subject: Diversity, Equity, and Inclusion Advisory Committee Terms of Reference

Report To: Planning and Economic Development Committee

Report date: Wednesday, June 12, 2024

Recommendations

1. That the request from the Diversity, Equity, and Inclusion Advisory Committee to amend the Committee's Terms of Reference **BE DENIED**.

Key Facts

- The report seeks to review the request by the Diversity, Equity, and Inclusion Advisory Committee (DEIAC) to expand their terms of reference.
- The DEIAC is an Advisory Committee to Council and is intended to assist Regional Council and staff to advance internal diversity equity and inclusion (DEI) matters that fall within the Region's mandate.
- Regional Council approved the current terms of reference in May 2023.
- At the DEIAC meeting on April 30, 2024, a motion was passed to make two changes to the DEIAC terms of reference.
- The proposed changes would expand the purpose of the Committee to address issues diversity, equity and inclusion related matters external to the Region, and/or address issues not referred by staff or Council. This change would expand the scope of items that could be discussed at the DEIAC, and potentially lead to DEIAC agendas that include items outside of the mandate and jurisdiction of the Region.
- Niagara Region staff recommend the proposed changes to the DEIAC terms of reference be denied and that the current scope and focus of the advisory committee be maintained.

Financial Considerations

Costs associated with the administration of the DEIAC in its current form have been included in the budget for the Growth Strategy and Economic Development Department for 2024.

Expanding the purpose of the Advisory Committee could result in additional costs for staff to support the additional associated work.

Analysis

Regional Council endorsed the establishment of the DEIAC on December 17, 2020. The original Terms of Reference focused on the creation of the DEI Action Plan. Following Council approval of the DEI Action Plan, a revised terms of reference was set for the Committee. The revised terms focused on providing advice to Niagara Region Council and staff on the internal actions of the DEI Action Plan, advice on Regional plans, policies and procedures, advice for the municipality as an employer and service provider, and input on DEI issues as requested by Council or staff.

This scope aligns with all advisory committees at Niagara Region whose role is to provide non-binding recommendations, advice and information to staff and Council on matters which relate to their specific Committee mandate and on any matters which may be referred to the Committee by Council or staff.

In addition, the scope of the Committee aligns with staff roles to provide advice and recommendations that support Regional initiatives and Council's Strategic priorities. The current DEIAC terms of reference are consistent with the approach of all Regional Council Advisory Committees (and most municipal advisory committees) and with the mandate of the Region and staff responsibilities.

At the DEIAC meeting on April 30, 2024, the following Motion was carried. The two potential changes are identified with strikethrough, bold, and italic font.

That this Committee **RECOMMEND** to the Planning and Economic Development Committee that the Diversity, Equity, and Inclusion Advisory Committee Terms of Reference, **BE AMENDED** as follows:

3. GOAL AND PURPOSE

The goal of the Committee is to address bias and discrimination and its negative impacts on quality of life, safety, health, and inclusion for the diverse communities in Niagara providing a safe place for all people to voice their opinions in order to work together to promote and foster understanding and inclusion in Niagara.

The purpose of the Committee is to:

- Advise and provide recommendations on the development and review of Niagara Region plans, policies and procedures to ensure they reflect Niagara Region's commitment to fostering diversity and inclusion within the organization, and within the community.
- Provide advice and feedback for the municipality as an employer and service provider on the organizations' diversity and inclusion needs.
- Provide input and feedback ~~as requested~~ on Regional issues relating to DEI.
- Provide advice to advance the *internal* action items of the DEI Action Plan.

These proposed changes would expand the purpose of the Committee to address DEI related matters external to the Region, or address issues not referred by staff or Council. This would expand the scope of items that could be discussed at the DEIAC, that potentially could include items outside of the mandate and jurisdiction of the Region and possibly infringe on the work of groups and organizations within the community.

The intent of the changes in scope is to allow the committee to move beyond Regional business, beyond the intent of Regional Council Advisory Committees, and beyond the request for input by staff and Council.

The purpose of providing input and feedback as requested on issues relating to diversity, equity, and inclusion and providing advice to advance the internal aspects of the DEI Action Plan are important to keep the scope of the committee aligned with the work and mandate of Niagara Region, staff, and Council's Strategic Priorities. If these details are removed, the scope of the content brought to the Committee could easily expand beyond the mandate and jurisdiction of the Region. Therefore, Niagara Region staff do not recommend that Council move forward with these changes to the terms of reference. Further, a change of this kind could set a precedent that may result in similar changes to the mandate of other Council advisory committees and cause tension between community advocacy groups and local area municipalities who may be undertaking similar work.

Specifying that the Committee advances the internal action items of the DEI Action Plan is to support the work done by Niagara Region staff through Niagara Region programs and services. The internal actions of the Plan are focused on the role of Niagara Region as an organization, an employer and service provider. The implementation of these internal actions is being led by the DEI staff at the Region in collaboration with other Niagara Region staff, with input and advice from the DEIAC.

There are external actions identified within the Region's DEI Action Plan. Most of the external actions are community based and fall outside the mandate of the Region. They require collaboration, coordination and leadership by other community organizations or partners such as the Local Area Municipalities. While these actions fall outside the jurisdiction of the Region, they are important matters that were identified as gaps through the development of the Action Plan and where the Region as a community member will not be a lead but may have a facilitation or partnership role. The remaining external actions in the DEI Action Plan relate to Regional services or facilities and their interactions with community members. These items are considered internal to the organization as they are focused on Regional services and would fall within the current mandate of the DEIAC.

The current DEI staff complement is modest with 1.5 FTEs and an intern. The work they carry out related to internal facing DEI initiatives is important to the Region, and considerable in terms of the number of initiatives. Further to the external work being beyond the Region's scope and jurisdiction, staff do not have the capacity to undertake additional external facing DEI work. The external work is best undertaken by the community organizations that are better positioned to undertake this work.

To align with the work of Niagara Region as an organization, Niagara Region staff recommend that the purpose of the Diversity, Equity, and Inclusion Advisory Committee remain focused on providing advice to advance items within the Region's mandate being internal action items of the DEI Action Plan and/or addressing DEI related issues as requested by Council or staff members.

Alternatives Reviewed

The alternative to the recommended action is that Council support the proposed amendment to the Committee's Terms of Reference. This would expand the scope of the DEIAC to potentially include agenda items that are out of scope of the mandate and jurisdiction of Niagara Region. This would likely increase the requests from the Committee and create additional workload for supporting staff members and would reduce the ability to complete other action items within the planned timelines.

Relationship to Council Strategic Priorities

The DEIAC supports an Equitable Region which identifies the implementation of the DEI Action Plan as an action. In addition, it supports the implementation of DEI as a Strategic Lens that will help to steer and influence Council decisions on how Niagara Region should deliver its services to the community.

Other Pertinent Reports

- [CLK 1-2021](#) Establishment of Diversity Related Advisory Committees
- [CLK 4-2023](#) Diversity, Equity, and Inclusion Advisory Committee and Establishment of Community Based Action Tables

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This report was prepared in consultation with Yusuf Al-Harazi, Diversity, Equity, and Inclusion Advisor, and reviewed by Ann-Marie Norio, Regional Clerk.

Appendices

Appendix 1 The Regional Municipality of Niagara Diversity, Equity, and Inclusion
Advisory Committee Minutes, DEIAC 2-2024