



GENERAL GOVERNMENT SERVICES COMMITTEE AGENDA

Wednesday, November 23, 2016, 4:00 p.m.
55 Zina Street, Orangeville – Sutton Room (2nd Floor)

Declarations of Pecuniary Interest by Members

PUBLIC QUESTION PERIOD

Members of the public will be provided an opportunity to ask questions of the Committee during this time. (Limited to 10 minutes)

REPORTS

1. GENERAL GOVERNMENT SERVICES – November 23, 2016 – ITEM #1
Harassment and Respectful Workplace Policy

A report by the Manager of Human Resources dated on November 23, 2016, to inform County Council of the new Harassment and Respectful Workplace policy, which replaces the Harassment policy in the Non-Union Personnel Policy Manual.

Recommendation:

THAT the report from the Human Resources Manager dated November 23, 2016 with respect to the Harassment and Respectful Workplace policy be received.

2. GENERAL GOVERNMENT SERVICES – November 23, 2016 – ITEM #2
Open Data Policy

A report by the Director of Corporate Services/Clerk dated on November 23, 2016, to seek Council approval for an Open Data policy. This is a policy that establishes the principles, roles and responsibilities related to Dufferin County's effort to make County collected data routinely available and provide frequently requested datasets to the public to increase transparency and accountability.

Recommendation:

THAT the report from the Director of Corporate Services/Clerk dated November 23, 2016 with respect to an Open Data policy be received;

AND THAT the Open Data policy, attached, be adopted.

CORRESPONDENCE

3. GENERAL GOVERNMENT SERVICES – November 23, 2016 – ITEM #3
Grand Valley & District Community Centre Board

Resolution passed on October 24, 2016 by Grand Valley & District Community Board to request \$5,000 to go towards the public 50th Anniversary Celebration at the Community Centre.

Recommendation

For the consideration of the Committee.

4. GENERAL GOVERNMENT SERVICES – November 23, 2016 – ITEM #4
Provincial Offences Act Administration

Resolutions from the Town of Mono, Town of Shelburne, Township of Melancthon supports the Dufferin Municipal Officers Association (DMOA) to represent the local municipalities and the County of Dufferin in drafting a new POA agreement with the Town of Caledon.

Recommendation

THAT the correspondence from the Town of Mono, dated September 27, 2016, the Town of Shelburne, dated October 17, 2016 and the Township of Melancthon, dated October 24, 2016 with respect to the Provincial Offences Act Administration be supported.

5. GENERAL GOVERNMENT SERVICES – November 23, 2016 – ITEM #5
AMO Policy Update

Correspondence from AMO, dated November 16, 2016 outlining new legislative changes introduced that will have a direct impact on municipal governments.

Recommendation

THAT the AMO Policy Update, dated November 16, 2016 outlining new legislative changes introduced that will have a direct impact on municipal governments, be received.

CLOSED SESSION

6. GENERAL GOVERNMENT SERVICES – November 23, 2016 – ITEM #4
Closed Session Report (Municipal Act Section 239 (2) (a) – security of the property of the municipality or local board)

A confidential report from the Treasurer dated November 23, 2016 with respect to cyber security.

Next Meeting: TBD



REPORT TO COMMITTEE

To: Chair McGhee and Members of General Government Services Committee

From: Cheri French, Manager of Human Resources

Meeting Date: November 23, 2016

Subject: **Harassment and Respectful Workplace Policy**

In Support of Strategic Plan Priorities and Objectives:

Good Governance: 3.1 Ensure compliance with Ministerial standards and requirements, 3.3 Improve policies practices and procedures.

Purpose

The purpose of this report is to inform County Council of the new Harassment and Respectful Workplace policy, which replaces the Harassment policy in the Non-Union Personnel Policy Manual.

Background & Discussion

The Occupational Health and Safety Act recently was amended to include Bill 132 – The Sexual Violence and Harassment Action Plan Act. This amendment was effective September 8, 2016 and required employers to review and update their existing policies and programs to ensure compliance with the new legislation.

As part of the Human Resources policy review and in light of the legislative changes, the existing Harassment policy was assessed and updated to create an all encompassing policy that incorporates current legislative requirements under the Occupational Health and Safety Act and the Ontario Human Rights Code. The policy revisions adopted a consultative approach with input and feedback received from the County of Dufferin’s two Joint Health and Safety Committees and the Senior Management Team.

Financial, Staffing, Legal, or IT Considerations

The revised policy was reviewed by the County of Dufferin’s legal consultant to ensure it is aligned with current legislation.

Strategic Direction and County of Dufferin Principles

Reviewing and aligning the Harassment and Respectful Workplace policy adheres to the County of Dufferin Principles:

1. We Manage Change – by proactively addressing legislative changes while reviewing, updating, and aligning the County’s policies and practices.
2. We Deliver Quality Service – by delivering high quality policies and programs.
3. We Communicate – by engaging in regular, timely, accurate and clearly articulated conversations in a multitude of ways.
4. We Make Good Decisions – by fostering an environment of collaboration that contributes to informed and thoughtful decisions that are reflective of the needs of those affected.

Recommendation

THAT the report from the Human Resources Manager dated November 23, 2016 with respect to the Harassment and Respectful Workplace policy be received.

Respectfully Submitted By:

Cheri French
Manager of Human Resources

SECTION	HUMAN RESOURCES	POLICY NUMBER	
SUB-SECTION	Conduct	EFFECTIVE DATE	December 9, 2004
DATE REVISED	November 15, 2016	REVIEW DATE	November 15, 2016
SUBJECT	Harassment and Respectful Workplace		
AUTHORITY	Council		

Purpose

The County of Dufferin is committed to providing a safe, healthy and professional workplace free from all forms of harassment, discrimination and disrespectful behaviour. The County recognizes that workplace harassment is both a health and safety and a human resources issue, and will take reasonable precautions to prevent workplace harassment and to protect its employees.

The County expects and promotes respectful interactions which show regard for the rights, dignity, and health and safety of all.

This policy is consistent with the spirit and provisions of the Ontario Human Rights Code and the Occupational Health and Safety Act, and should be read in conjunction with any applicable legislation and collective agreement provisions.

This policy is intended to:

- Create and foster a work environment free from workplace discrimination and harassment
- Provide solution based approaches when conflict arises
- Provide definitions of workplace discrimination and harassment
- Establish and detail the responsibilities of all persons in County workplace(s) to maintain a workplace free from discrimination and harassment
- Ensure that incidents of workplace discrimination and harassment are reported to County management, Manager of Human Resources and/or law enforcement as appropriate
- Ensure that complaints of harassment are handled in a timely and equitable manner by the County and that an investigation is conducted which is appropriate in the circumstances

Policy

Scope and Application

This policy applies to all County employees regardless of position, classification or union membership. It applies in any location in which employees are engaged in work-related activities (see definition of workplace below).

This policy also applies to all persons who attend a County workplace, including but not limited to visitors, contractors, vendors and delivery persons.

Definitions

Harassment

Harassment is defined under the Occupational Health and Safety Act as:

- (a) engaging in a course of vexatious comment or conduct against a worker in a workplace that is known, or ought reasonably to be known to be unwelcome; or
- (b) workplace sexual harassment.

Harassment is a pattern of inappropriate actions that are not in keeping with the County of Dufferin expectation of respectful interactions. Harassment is ongoing behaviour that a reasonable person would consider to be humiliating, demeaning, offensive or intimidating and is unwelcome. A single incident may constitute harassment, depending on the severity of the behaviour. Harassment is a form of discrimination.

Examples of harassment may include, but are not limited to:

- Yelling at an employee
- Taking credit for another's work
- Ostracizing an employee
- Abuse of authority
- False accusations/allegations
- Practical jokes which insult or embarrass an individual
- Sabotaging an employee's work
- Withholding information from an employee required for him/her to do his/her job
- Belittling, condescending comments
- Bullying, workplace pranks, vandalism, hazing
- Gossiping or spreading malicious rumours
- Inappropriate, embarrassing, humiliating comments or jokes about an individual.

In addition to contravening this Policy and County of Dufferin's values, harassment may violate the Ontario Human Rights Code if the inappropriate behaviour is associated with any of the prohibited grounds listed in the Code.

Under the Ontario Human Rights Code, prohibited grounds include: race, colour, ancestry, creed (religion), place of origin, ethnic origin, citizenship, sex (including pregnancy, breastfeeding, gender identity and gender expression), sexual orientation, age, marital status (including same-sex partnership), family status, disability (including perceived or past) and record of offences for which a pardon has been granted and has not been revoked or an offence in respect of any provincial enactment.

Examples of discriminatory harassment may include, but are not limited to:

- Unwelcome remarks, jokes, innuendos, or taunting that disparage or ridicule a person's membership in one of the protected grounds
- Practical jokes of a racial or religious nature which causes awkwardness or embarrassment
- Displaying or electronically transmitting racist pictures, jokes or other offensive material
- Condescending or paternalistic behaviour which undermines self-respect based on a person's membership in one of the protected grounds
- Offensive gestures based on a person's membership in one of the protected grounds
- Refusing to converse or work with an employee because of his/her race or ethnic background
- Imitating a person's accent, speech or mannerisms

Sexual Harassment

The Occupational Health and Safety Act defines sexual harassment as:

- (a) engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome, or
- (b) making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker, and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

Examples may include, but are not limited to:

- Continuous conversation of a sexual nature
- Persistent and offensive jokes of a sexual or gender-specific nature
- Suggestive or insulting sounds (example, whistling or cat-calls)
- Lewd gestures
- Sexual comments about body shape, clothes or weight
- Comments about a person's sex life or relationship with partner

- Posting or electronically transmitting pornographic or sexually explicit pictures and jokes
- Sexual exposure
- Unnecessary physical contact (example pinching, touching or patting)
- Sexual assault
- Sexual innuendoes or taunting
- Vulgar humour or language
- Leering (persistent sexual staring)
- Sexual advances or demands that are unwelcome
- Threats, punishment or denial of a benefit for refusing a sexual advance
- Offering a benefit in exchange for a sexual favour

Harassment is not:

- Appropriate direction, delegation or discipline administered under the course of supervision
- Measures to correct performance deficiencies such as placing someone on a performance improvement plan
- Requesting medical documents in support of an absence from work
- Stressful events encountered in the performance of legitimate job duties
- A relationship of mutual consent or flirtation
- Friendly teasing or bantering that is mutually acceptable and not offensive to others
- Normal workplace conflict that may occur between individuals or difference of opinion between co-workers.

Discrimination

The unequal treatment of a person on the basis of a prohibited ground. In general, discrimination is an act or practice that intentionally or unintentionally causes a type of disadvantage prohibited by the provisions of the Ontario Human Rights Code.

Examples of discrimination may include, but are not limited to:

- Refusal to work with, or differential treatment of a person on the basis of the prohibited grounds
- Decisions of recruitment, promotion, pay increases or employment practices based in whole or in part on one or more of the prohibited grounds

Systemic (Indirect) Discrimination

The use or application of a requirement, either in policy or practice, that has a negative impact on an identified group on the basis of a prohibited ground. Systemic discrimination occurs when policies or practices exclude, limit or restrict members of designated groups from employment or opportunities within employment.

Workplace

Any location where a County of Dufferin employee is carrying out their occupational duties, including those locations that are not on primary work sites. This may include work-related social functions, training and conferences, during work-related travel, at restaurants, hotels or meeting facilities being used for business purposes, during telephone, e-mail or other communications.

Poisoned Work Environment

Workplace harassment may also include behaviour, conduct, comments or activities which are not directed specifically at an individual but which nonetheless create a degrading or offensive poisoned work environment.

Abuse of Authority

An individual using undue authority or power related to their position with the intention of compromising an employee's job performance and adversely affecting their career.

Bullying

Behaviour which intimidates, degrades, humiliates and ultimately undermines the self-confidence of an individual. It is generally repetitive, although a single serious incident of such behaviour may constitute bullying if it has a lasting harmful effect.

Complainant

A person who brings a complaint forward under this policy because the person was the target of or a witness to harassment or discrimination.

Respondent

A person alleged to have engaged in behaviour of harassment or discrimination under this policy.

Investigator

The Manager of Human Resources or designate will conduct investigations under this policy. The County of Dufferin reserves the right to retain an external third party to investigate allegations against Senior Management, Human Resources staff, or other staff members depending upon the situation.

Trivial, Frivolous or Malicious Complaints

Trivial or frivolous complaints are those with no merit. Malicious complaints are those which are made in bad faith with the intent to harm the respondent.

Responsibilities

Organization

It is the responsibility of the County:

- To take reasonable, preventative measures to protect employees and others in County workplaces from workplace discrimination and harassment
- To ensure that all employees are trained in this policy
- To post this policy in a conspicuous place in the workplace
- To ensure that this policy is communicated to contractors and other persons who attend County workplaces
- To establish a process for reporting and responding to incidents of workplace discrimination and harassment
- To ensure the process for reporting and responding to incidents of workplace discrimination and harassment is communicated, maintained and followed
- To ensure that this policy is reviewed at least annually

Managers and Supervisors

It is the responsibility of managers and supervisors:

- To understand and abide by the requirements of this policy
- To communicate and review this policy with the employees they supervise or manage
- To verify that all contractors and others who attend County workplaces are aware of this policy
- To adequately train employees in County procedures that address the workplace harassment risk(s) applicable to the employee
- To encourage employees to report complaints or incidents of workplace discrimination and harassment
- To respond to all complaints or incidents of workplace discrimination and harassment in a professional manner appropriate in the circumstances
- To promptly report all complaints or incidents of workplace discrimination or harassment they receive or witness to the Human Resources Manager or designate

Employees (Including Managers and Supervisors)

It is the responsibility of employees:

- To comply with this policy at all times to protect themselves and others in the workplace from workplace discrimination and harassment
- To immediately notify their supervisor or other designated person of any incident of workplace discrimination or harassment whether the notifying employee is the victim or not. In the case of an extreme or imminent threat of physical harm to themselves or any person, the employee should contact the police
- To participate in training regarding this policy and County procedures directed at workplace harassment risks in the workplace
- To fully cooperate in any investigation of complaints or incidents of workplace harassment or breaches of this policy.

Informal Resolution Approaches

If an employee is either directly affected by, or has witnessed harassment in the workplace, he/she is encouraged to speak to the person directly, and let them know that their behaviour is unwelcome, and ask for it to stop.

As an alternative, an informal mediation can be arranged with both employees. The Human Resource Manager, Senior Management or designate will assist the employees to discuss the incident and their concerns and come to an agreed upon outcome. Participation in mediation is voluntary and either party can withdraw at any time.

Should the above approaches be ineffective, and/or the behaviour continues, it should be reported.

Reporting Incidents of Workplace Harassment

Employees can at any time report incidents of workplace harassment or reprisal to the Human Resources Manager or any Department Manager.

All complaints and incidents are to be recorded in writing by the reporting person/employee, the supervisor or manager receiving the report and the Human Resources department. The date, time, location, potential witnesses and nature of the incident should be documented.

If an incident of workplace harassment involves a person who is not an employee of the County, a member of the Senior Management team or the Human Resources department will report the incident to that person's employer and/or such other person as the County determines is appropriate in the circumstances.

Investigation Procedure

Investigation:

All complaints or incidents of workplace harassment or reprisal will be promptly investigated by the Human Resources department. Where the Respondent is a County employee, the investigation will be conducted as quickly and confidentially as possible in the circumstances. Every effort will be made to protect the privacy of the individuals involved in an investigation and to ensure that Complainants and Respondents are treated fairly and respectfully. Information about the alleged incident or complaint of workplace harassment, including identifying information about any individuals involved, will not be disclosed unless the disclosure is necessary for the purposes of investigating or taking corrective action with respect to the incident or complaint, or is otherwise required by law.

In all cases, staff are encouraged to report their concerns internally to the direct supervisor, provided he/she is not the alleged Respondent, in which case concerns should be reported to the Human Resources Manager or any other Department Manager. However, if a complaint is regarding the conduct of senior management, or

staff are uncomfortable or unable to report it internally, the complaint may be reported to an outside party such as the Ministry of Labour. Nothing in this policy prevents or discourages an employee from filing an application with the Human Rights Tribunal of Ontario on a matter related to the Ontario Human Rights Code. An employee also retains the right to exercise any other legal avenues that may be available, including filing a grievance if the employee is a member of the bargaining unit.

If the Complainant decides not to lay a formal complaint, the County of Dufferin has a legal obligation to conduct an investigation which is reasonable in the circumstances and will file such documents with the person against whom the complaint is laid (the Respondent).

At the discretion of the CAO and/or Human Resources Manager, the County may obtain outside assistance and/or legal counsel.

The investigation will include:

- A documented interview with the Complainant and/or victim
- A documented interview with the alleged Respondent(s)
- A documented interview with any witnesses with relevant information
- Any other step the investigator(s) deems necessary to fully and fairly investigate the complaint or incident
- At the conclusion of the investigation into an incident or complaint, Human Resources will prepare a written report of the findings
- Where the Respondent is a County employee, their supervisor, in consultation with management and/or the Human Resources department, will take any necessary corrective action warranted in the circumstances
- Where the Complainant is a County employee and is found to have brought forward a complaint in bad faith, their supervisor, in consultation with management and/or the Human Resources department, will take any necessary disciplinary action
- The severity of any disciplinary action, which may include dismissal from employment, will be consistent with the seriousness of the conduct at issue, such that more significant discipline will follow more serious conduct or repeated violations of this policy
- Upon completion of the investigation, the County of Dufferin will advise in writing the Complainant and Respondent, if the Respondent is a County employee, of the findings of the investigation and any corrective action that has been or will be taken as a result of the investigation

No Reprisal

This policy prohibits reprisals against employees who have made complaints in good faith and without malice or provided information regarding a complaint or incident of workplace discrimination or harassment.

Employees who engage in reprisals or threats of reprisals may be disciplined up to and including dismissal from employment.

Reprisal includes:

- Any act of retaliation that occurs because a person has complained of or provided information about an incident of workplace discrimination or harassment
- Intentionally pressuring a person to ignore or not report an incident of workplace discrimination or harassment; and
- Intentionally pressuring a person to lie or provide less than full cooperation with an investigation of a complaint or incident of workplace discrimination or harassment

An employee who makes a false complaint or otherwise abuses this policy may be disciplined up to and including dismissal from employment. Such discipline is not a reprisal or breach of this policy.

Timeline for Review

As required by the Occupational Health and Safety Act, the County of Dufferin will review this policy annually and will post the policy in a conspicuous place in the workplace. The Joint Health and Safety Committee members will also review this policy and provide recommendations that will aim to enhance its content.

Sonya Pritchard
Chief Administrative Officer



REPORT TO GENERAL GOVERNMENT SERVICES COMMITTEE

To: Chair McGhee and Members of the General Government Services

From: Pam Hillock, Director of Corporate Services/Clerk

Meeting Date: November 23, 2016

Subject: **Open Data Policy**

In Support of Strategic Plan Priorities and Objectives:

Good Governance 3.2: Increase transparency, 3.3 Improve policies practices and procedures.

Purpose

The purpose of this report is to seek Council approval for an Open Data policy. This is a policy that establishes the principles, roles and responsibilities related to Dufferin County's effort to make County collected data routinely available and provide frequently requested datasets to the public to increase transparency and accountability.

Background & Discussion

The Dufferin County Corporate Strategic Plan identified the need to increase transparency. This need to increase transparency was specifically referenced as action 3.2.1 "Introduce open government initiatives, i.e. Open data".

The Open Data Committee, which is a cross-functional team, has been created to provide governance to the Dufferin County Open Data program. The committee includes the Manager of Information Technology (chair), Manager of Engineering, GIS Technician, Application Analyst, Information Management Coordinator, Archivist and Community Services Program Assistant.

The Dufferin County Open Data program provides the routine proactive release of datasets and map layers for any public use.

The Committee has drafted an Open Data Policy along with an Open Data Request form and Open Government License. The Open Data policy establishes criteria for the classification of County data as open data. The Open Data Request form supports the policy and allows data to be requested or submitted for approval as open data. The Open Government License provides the terms of use by which data can be used.

The Open Government License is provided by the Government of Canada and can be used by any public body in Canada.

A section on the Dufferin County web site has been created and will provide information on the open data program and list data sets available for download. The initial release of open data will include up to 20 data sets. Each data set will be updated on a frequency identified by the Open Data Committee. Each data set will be approved by the Department Director and the Information Management Coordinator.

The policy was reviewed and approved by senior management. A copy of the draft policy has been attached as schedule A to this report.

Financial, Staffing, Legal, or IT Considerations

An open data program allows the routine release of data that is frequently requested by the public. The routine release of this data could save staff time.

Strategic Direction and County of Dufferin Principles

By improving policies practices and procedures is in line with the strategic priority of good governance. Providing more open routine disclosure and information to the public is a specific strategic objective.

It adheres to the County of Dufferin Principles:

1. *We Deliver Quality Service – by being transparent and providing a means for residents to have access to municipal records and information*
2. *We Make Good Decisions - by researching legislation, best practices and procedures*

Recommendation

THAT the report from the Director of Corporate Services/Clerk dated November 23, 2016 with respect to an Open Data policy be received;

AND THAT the Open Data policy, attached, be adopted.

Respectfully Submitted By:

Pam Hillock
Director of Corporate Services

Prepared by:

Steve Hett
Manager of Information Technology



POLICY & PROCEDURE MANUAL

SECTION	INFORMATION TECHNOLOGY	POLICY NUMBER	6-8
SUB-SECTION	Open Data	EFFECTIVE DATE	October 2016
SUBJECT	Open Data Policy		
AUTHORITY	Senior Management Team		

PURPOSE:

The purpose of the Open Data policy is to establish the principles, roles, and responsibilities related to Dufferin County's effort to make data routinely available for public use.

The Open Data policy supports Dufferin County's Corporate Strategic Plan initiative to increase transparency by introducing Open Government initiatives.

SCOPE:

This policy applies to all staff, volunteers and councillors in all departments within Dufferin County.

This policy applies to all County of Dufferin departments and to data within the custody and control of the County.

The County of Dufferin is required to comply with the law regarding the disclosure of private, confidential or proprietary data including the Municipal Freedom of Information and Protection of Privacy Act and the Personal Health Information Protection Act. The County may also have contractual or other obligations, all of which may limit the data which can be published as Open Data.

The County will not publish information which would contravene any of these obligations, but may modify a dataset to remove private, confidential or proprietary data when the County considers publication of the dataset to be in the public interest. An Open Data Committee comprised of County staff will provide guidance on the implementation of this policy.

DEFINITIONS:

Open Government: Open Government describes an approach to operating government that works to: (i) promote transparency, accountability and accessibility; (ii) foster a culture of collaboration; and (iii) improve service to the public.

Open Data: Open Data is the County's data that has been designated by the County as "Open Data".

Open Data Catalogue: Open Data Catalogue means a catalogue of County data made available on the Dufferin County web site.

Open Government License: The Open Government License is a licensing agreement that can be used by any public body in Canada, such as provincial, territorial, and municipal governments.

Data set: means a collection of raw, non-manipulated data usually presented in tabular form with associated metadata, and which is machine readable.

Machine readable data: Machine readable data refers to data that can be automatically read and processed by a computer, such as CSV, JSON, XML, etc. Machine readable data must be structured data.

Raw dataset: a structured file format (including geospatial formats) that can be read by a machine, such as spreadsheets, comma delimited, Extensible Markup Language (XML), or JavaScript Object Notation (JSON)

PHIPA: Personal Health Information Protection Act was established in 2004 and applies to any organization that collects, uses, or discloses Personal Health Information.

MFIPPA: Municipal Freedom of Information and Protection of Privacy Act is legislation that provides a right of access to records held by public bodies and regulates how public bodies manage personal information.

IMPLEMENTATION PROCEDURE:

Open Data Committee

The Open Data Committee will provide governance for the Dufferin County Open Data program.

The committee includes staff from Corporate Services, Public Works and Community Services. The primary role of the committee will be to assess, prioritize, release and monitor datasets in accordance with this policy.

The committee will work with departments to identify and assess datasets for release as Open Data to the Open Data Catalogue. The committee will monitor feedback and requests for additional datasets.

Open Government License

Dufferin County has adopted the Government of Canada's Open Government License to provide terms of use for all open data. The Dufferin Open Government License is attached to this policy.

Open Data Criteria Requirements

Data that will be recommended as Open Data will meet the following criteria:

- a. Machine readable;
- b. In a file format that is recognized as being reasonably appropriate Open Data;
- c. Part of a dataset generated by the County of Dufferin and upon which the County relies;
- d. Does not include personal information protected pursuant to the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA); and
- e. Is not subject to any legal, public safety or other restrictions that would prohibit the County of Dufferin from releasing as Open Data.

Open Data Assessment and Approval Process

Data sets that have been suggested, identified or requested as Open Data will be submitted to the Open Data Committee for review.

Each data set that has been suggested, identified or requested will be entered into the Open Data Assessment Form attached to this policy. Each form will be reviewed by the Open Data Committee and approved by the Department Director and the Information Management Coordinator.

ATTACHMENT:

DUFFERIN COUNTY OPEN GOVERNMENT LICENSE
DUFFERIN COUNTY OPEN DATA ASSESMENT FORM

Open Government Licence – The County of Dufferin

You are encouraged to use the information that is available under this licence with only a few conditions.

Using Information under this licence

1. Use of any information indicates your acceptance of the terms below.
2. The information provider grants you a worldwide, royalty-free, perpetual, non-exclusive licence to use the information, including for commercial purposes, subject to the terms below.

You are free to:

3. Copy, modify, publish, translate, adapt, distribute or otherwise use the information in any medium, mode or format for any lawful purpose.

You must, where you do any of the above:

4. Acknowledge the source of the information by including any attribution statement specified by the information provider and, where possible, provide a link to this licence.

If the information provider does not provide a specific attribution statement, or if you are using Information from several Information Providers and multiple attributions are not practical for your product or application, you must use the following attribution statement:

Contains information licensed under the Open Government Licence – County of Dufferin

5. The terms of this licence are important, and if you fail to comply with any of them, the rights granted to you under this licence, or any similar licence granted by the Information Provider, will end automatically.

Exemptions

6. This licence does **not** permit any right to use:
 - a. Personal Information;
 - b. third party rights the Information Provider is not authorized to license;
 - c. the names, crests, logos, or other official marks of the Information Provider; and
 - d. Information subject to other intellectual property rights, including patents, trade-marks and official marks

Non-endorsement

7. This licence does not grant you any right to use the Information in a way that suggests any official status or that the Information Provider endorses you or your use of the Information.

No warranty

8. The Information is licensed “as is”, and the Information Provider excludes all representations, warranties, obligations, and liabilities, whether express or implied, to the maximum extent permitted by law.

9. The Information Provider is not liable for any errors or omissions in the Information, and will not under any circumstances be liable for any direct, indirect, special, incidental, consequential, or other loss, injury or damage caused by its use or otherwise arising in connection with this licence or the Information, even if specifically advised of the possibility of such loss, injury or damage.

Governing Law

10. This licence is governed by the laws of the Province of Ontario and the applicable laws of Canada.

11. Legal proceedings related to this licence may only be brought in the courts of the Province of Ontario.

Definitions

12. In this licence, the terms below have the following meanings:

"Information"

means information resources or records protected by copyright or other information or records that are offered for use under the terms of this licence.

"Information Provider"

means County of Dufferin.

"Personal Information"

has the meaning set out in section 2(1) of Freedom of Information and Protection of Privacy Act (Ontario).

"Records"

has the meaning of "record" as set out in the Freedom of Information and Protection of Privacy Act (Ontario).

"You"

means the natural or legal person, or body of persons corporate or incorporate, acquiring rights under this licence.

Versioning

13. This is version 2 of the Open Government Licence for the County of Dufferin. The Information Provider may make changes to the terms of this licence from time to time and issue a new version of the licence. Your use of the Information will be governed by the terms of the licence in force as of the date you accessed the Information.

COUNTY OF DUFFERIN

55 ZINA STREET, 2 FLOOR, ORANGEVILLE, ONTARIO, L9W 1E5
PH: 519-941-2816 ext. 8000 FAX: 519-941-4565
www.dufferincounty.ca EMAIL: opendata@dufferincounty.ca

OPEN DATA REQUEST FORM

OPEN DATA REQUEST FORM

APPLICANT SECTION 1 - REQUESTOR INFORMATION

APPLICANT NAME: External Request Internal Request
TELEPHONE: EXT: EMAIL:

The personal information collected on this form is collected under the authority of the Municipal Freedom of Information and Protection of Privacy Act. Questions about this collection should be addressed to the Co-ordinator for the County of Dufferin, Clerk at 519-941-2816 ext. 2503.

APPLICANT SECTION 2 - DATASET REQUEST INFORMATION

DESCRIPTION OF REQUESTED DATA:
FORMAT PREFERENCE: UPDATE FREQUENCY PREFERENCE:

OFFICIAL USE ONLY SECTION 3 - DATASET INFORMATION

DATASET TITLE:
DATASET DESCRIPTION:
DATA SOURCE: DEPARTMENT:
DATASET DEFINITION:

FORMAT: GeoJSON CSV KML SHP XML
UPDATE FREQUENCY: Weekly Monthly Quarterly Bi-Annually Yearly As Requested 2 Years 5 Years
CO-ORDINATE FORMAT:

OFFICIAL USE ONLY SECTION 4 - DATASET APPROVAL

DATA PREPARED:	<input type="text"/>	SIGNATURE:	<input type="text"/>	DATE:	<input type="text"/>
DEPT APPROVAL:	<input type="text"/>	SIGNATURE:	<input type="text"/>	DATE:	<input type="text"/>
IMC APPROVAL:	<input type="text"/>	SIGNATURE:	<input type="text"/>	DATE:	<input type="text"/>
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GRAND VALLEY & DISTRICT COMMUNITY CENTRE

Serving the Townships of Amaranth, East Garafraxa and the Town of Grand Valley
90 Main St. North, GRAND VALLEY ON L9W 5S7

ARENA: 519-928-2830
OFFICE: 519-928-5652

email: bcook@townofgrandvalley.ca
email: jbunn@townofgrandvalley.ca
email: vbromley@townofgrandvalley.ca

General Government Committee
County of Dufferin
55 Zina Street,
Orangeville ON
L9W 1E5

October 27, 2016

Chair & Committee Members,

Below is a resolution passed by the Grand Valley & District Community Centre Board at its October 24, 2016 regular meeting:

Move By: E. Taylor
Seconded By: G. Little

BE IT RESOLVED THAT WHEREAS the Grand Valley and District Community Centre opened in 1967 with a purpose to provide recreational facilities and social programming space to local residents, and

WHEREAS the Grand Valley and District Community Centre has served the residents of the Townships of Amaranth and East Garafraxa, and the Town of Grand Valley over the past 50 years and continues to promote active living and community togetherness, and

WHEREAS the Grand Valley District Community Centre will celebrate its 50th anniversary of providing essential recreational and social programming space to the residents of the three partner municipalities, and

WHEREAS the board of management is planning a day of celebration on June 17, 2017, which will include a celebration of local history, games for all ages, dinner and a dance with the Camp Fire Poets;

NOW THEREFORE BE IT RESOLVED THAT the Grand Valley District Community Centre Board requests funding support from the County of Dufferin in the amount of \$5,000 to go towards the public 50th Anniversary Celebration at the Community Centre;

AND THAT this resolution be forwarded to the Townships of Amaranth and East Garafraxa; and the Town of Grand Valley for endorsement.

CARRIED.

Should require anything further please do not hesitate to contact this office.

Yours truly,

Jeff Bunn, Secretary
Grand Valley and District Community Centre Board
jbunn@townofgrandvalley.ca
519-928-5652



Town of Mono

347209 Mono Centre Road
Mono, Ontario L9W 6S3

October 4, 2016

Pam Hillock,
Clerk/Director of Corporate Services
County of Dufferin
55 Zina Street
Orangeville, ON L9W 1E5

Carey deGorter,
Director of Administration/Town Clerk
Town of Caledon
6311 Old Church Road
Caledon, ON L7C 1J6

Dear Ms. Hillock and Ms. deGorter,

RE: Provincial Offences Act Administration

Town of Mono Council passed the following resolution during their meeting of September 27, 2016.

Resolution #4-14-2016

Moved by Martin - Seconded by Nix

THAT Council accepts the Dufferin Municipal Officers Association (DMOA) recommendation not to leave the current Dufferin/Caledon POA administration arrangement;

AND THAT a new POA agreement be drafted with the Town of Caledon to replace the current one, with the DMOA representing the local municipalities and Dufferin County;

AND THAT this decision be circulated to all the local municipalities, County of Dufferin, the Town of Caledon and the Ministry of the Attorney General.

Yours truly,

Mark Early, MCIP, RPP, CMO
CAO/Clerk

ME/jp

C. Dufferin Municipalities
Ministry of the Attorney General



TOWN OF SHELburne
COUNCIL RESOLUTION

No. 19

Date: October 17, 2016

Moved by: *[Signature]*

Seconded by: *[Signature]*

BE IT RESOLVED THAT the Council of the Town of Shelburne supports the resolution from the Town of Mono dated September 27, 2016 regarding the Dufferin/Caledon POA administration arrangement;

AND THAT a new POA agreement be drafted with the Town of Caledon to replace the current one, with the DMOA representing the local municipalities and Dufferin County;

AND THAT this decision be circulated to all local municipalities, the County of Dufferin and the Town of Caledon.

*Carried
[Signature]*

Requested Vote to be recorded Yes No

	Yea	Nay
Mayor Bennington	[]	[]
Councillor Benotto	[]	[]
Councillor Chambers	[]	[]
Deputy Mayor Dunlop	[]	[]
Councillor Egan	[]	[]
Councillor Mills	[]	[]
Councillor Sample	[]	[]



The Corporation of

THE TOWNSHIP OF MELANCTHON

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Email: info@melancthontownship.ca

October 24, 2016

County of Dufferin
55 Zina Street
Orangeville, Ontario
L9W 1E5

Attention: Pam Hillock, Clerk/Director of Corporate Services

-and-

Town of Caledon
6311 Old Church Road
Caledon, Ontario
L7C 1J6

Attention: Carey deGorter, Director of Administration/Town Clerk

Dear Ms. Hillock and Ms. deGorter:

Re: Provincial Offences Act (POA) Administration

At the meeting of Council held on October 20, 2016, the following motion was passed:

Moved by Besley, Seconded by Hannon

Be it resolved that: "Council supports the Dufferin Municipal Officers Association (DMOA) to represent the local municipalities and the County of Dufferin in drafting a new POA agreement with the Town of Caledon."
Carried.

Yours truly,

Denise B. Holmes, AMCT
CAO/Clerk

c. Dufferin Municipalities

November 16, 2016

New Legislative Changes Introduced that have Direct Impact for Municipal Governments

The legislative agenda of the government resulted in three different Bills this week that are important to municipal governments. AMO will be reviewing each Bill in detail but wanted to give its members the key highlights. Some of the proposed changes are very welcomed and others less so.

Municipal Affairs Minister Introduces Amendments to the Municipal Act, City of Toronto Act (COTA) and Municipal Conflict of Interest Act (MCIA)

The review of these Acts has resulted in some amendments that are relatively substantive, and others that are more technical in nature. Many of the changes relate to transparency and accountability, conflict, and behaviour. Some impose a new obligation and others introduce flexibility. AMO will be reviewing the language of the Bill in depth in the coming weeks and will update members accordingly.

Key highlights of the more substantive changes:

- Require that all municipalities provide access to an Integrity Commissioner (IC) and all of the functions of an IC.
- The role of the IC is expanded to: i) conduct inquiries upon complaint or own initiative for MCIA (financial interests of elected officials), and code of conduct matters (ethical behaviour); ii) provide advice to councils and local boards respecting their obligations under the MCIA and code of conduct; and iii) provide educational information to the public, councils and local boards on these matters.
- Under the MCIA, an IC can investigate a complaint from any person concerning an alleged contravention, and upon completion of an investigation, the IC can apply to a judge for a determination as to whether the member has in fact contravened the Act.
- The mandatory penalties for contraventions of the MCIA will be replaced with a broader range of penalties (e.g., fines, suspension). Other new provisions under MCIA relate to the need for written disclosure of interest, dealing with influence, and a registry.
- All municipal governments will be required to have a Code of Conduct for councils and local boards that informs ethical behaviour (different from the financial interests of the MCIA).
- Councils will also be required to have a formal policy on council-municipal staff relations to address the roles and responsibilities of municipal public service and the interaction with council.
- Definition of Open Meeting: The government is moving to clarify that a meeting with council, local board or committee involves a quorum of council members and that they discuss a matter in a way that "materially advances" the business or decision-making.

- Electronic meetings: Councils and Committees to have the authority to allow electronic participation in their procedural by-law. However, electronic participation will not be counted for quorum purposes.
- Open meeting exceptions to include: i) information supplied in confidence by Canada, a province or territory or a Crown agency; ii) certain third party information supplied in confidence; iii) trade secret or financial, commercial, etc. information that belongs to the municipality or local board and has monetary value or potential monetary value; or iv) instructions, etc. to any negotiations by or on behalf of the municipality or local board.
- Requirement to pass resolution on how Council/Local Board intends to address a meeting investigation report where the situation was contrary to open meeting provisions.
- Regional council composition can now be changed by by-law rather than need for Minister's regulation.
- Regional municipal governments will be required to review their council membership that represent their lower-tier municipalities at least once following every second municipal election, starting after the 2018 municipal election; Minister would have power to make a regulation changing a regional council's composition if a regional municipality is unable to come to a local decision within two years following every second municipal election.
- A lower-tier council can temporarily appoint an alternate member of lower-tier council who is a member of both the lower-tier and upper-tier council to replace the member who is unable to attend an upper-tier council meeting.
- Add a new broad authority to use administrative monetary penalties for municipal bylaw contraventions.
- Repeal a provision so that municipal by-laws will have effect in areas under jurisdiction of conservation authorities.
- Require adoption of a policy for pregnancy leaves and parental leaves for council members.
- Eligible investments framework changes to add a prudent investor standard regime subject to a regulatory design that if done well could take advantage of the One Investment Program of AMO and Municipal Finance Officers Association as a prudent investor.
- Added flexibility to deal with forfeited corporate property and to administer tax sales faster.
- Add a new broad power to deal with climate change (although cannot exceed the Building Code or other provincial statutes) and to clarify the municipal role in energy planning.
- The Minister will have regulation-making authority to prescribe actions (unknown at this point) that municipalities must take to support local integrated planning in order to implement community hubs.
- Require a municipality to meet prescribed conditions before it establishes a small business program instead of obtaining ministerial approval.
- *Municipal Election Act* to be changed to reduce the time between the election of councils and their first meetings, proposed to be Nov 15; increase the maximum contribution limit to a single candidate or third party advertiser so that it is the same as the province (\$1,200); and introduces formula to limit self-funding.

Fall Budget Bill

While the omnibus Bill was introduced today (Nov. 16) it is not available on Hansard as yet. We understand it contains changes to:

- Require direct election for all regional government chairs (some are currently directly elected through previous specific legislation).
- Interest arbitration regime for fire and police that would remove the requirement for the parties to go through a conciliation process before the interest arbitration process can commence; require pre-hearing submissions; and prohibit boards of arbitration from referring items in dispute back to the parties for further negotiation, unless the items relate to implementation of an award, or if both parties agree that items can be referred back prior to the making of a final award. The municipal priority issue of capacity to pay was not acted upon, however, the Minister will continue to hold discussions with the fire and municipal sector.

Bill 65 Introduces Photo Radar in School and Community Safety Zones

Creates authority for municipal governments to introduce Automated Speed Enforcement (photo radar) in school and community safety zones to reduce speeding infractions. It also allows municipalities to create community safety zones with reduced speed limits to improve pedestrian and cyclist safety, and the flexibility to reduce speed limits below 50 km/h.

This is a scoped application of photo radar and limits local decision-making on where it can be used, rather than give municipal governments the base authority. For example, municipal governments feel photo radar would be helpful in construction zones to protect the safety of road workers.

Next Steps

It is anticipated that the Fall Budget Bill, as with most budget bills, will have a quicker legislative approval process than the other Bills. AMO will review that Bill in detail once it is available on Hansard to determine if there are any additional changes that will impact municipal governments.

More work is ahead as well for the other two Bills as we review their legislative language with a view of what makes sense to improving municipal governments authority and where unintended consequences might occur. We'll be readying for Standing Committee processes which are likely in early 2017 given that the House still has to debate the Bills for Second Reading before referral and the House is scheduled to rise December 8.

AMO Contact: Pat Vanini, Executive Director, 416.971.9856 ext. 316, pvanini@amo.on.ca.

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