



City of Hamilton
MAYOR'S TASK FORCE ON TRANSPARENCY, ACCESS AND
ACCOUNTABILITY
AGENDA

Meeting #: 24-003
Date: April 17, 2024
Time: 2:00 p.m.
Location: Room 264, 2nd Floor, City Hall (hybrid) (RM)
71 Main Street West

Loren Kolar, Legislative Coordinator (905) 546-2424 ext. 2604

1. APPROVAL OF AGENDA

(Added Items, if applicable, will be noted with *)

2. DECLARATIONS OF INTEREST

3. APPROVAL OF MINUTES OF PREVIOUS MEETING

3.1 February 20, 2024

4. COMMUNICATIONS

4.1 Improving Service Standards and Transparency Servicing Residents with the Office of the City Clerk, Hafeez Hussain, September 7, 2023.

Referred from the Audit, Finance and Administration Committee.

Recommendation: Be received.

5. DELEGATION REQUESTS

6. DELEGATIONS

7. CONSENT ITEMS

8. STAFF PRESENTATIONS

9. DISCUSSION ITEMS

9.1 Work Plan Updates

- a. Work Plan for Engagement with Interested Parties
- b. Work Plan for Professional Support Engagement (no copy)
- c. Work Plan for Delegations (no copy)

10. MOTIONS

11. NOTICES OF MOTION

12. GENERAL INFORMATION / OTHER BUSINESS

13. PRIVATE AND CONFIDENTIAL

14. ADJOURNMENT



**MAYOR'S TASK FORCE ON TRANSPARENCY, ACCESS AND
ACCOUNTABILITY
MINUTES 24-002**

11:00 a.m.
Tuesday, February 20, 2024
Room 192
Hamilton City Hall
71 Main Street West

Present: B. Custers, J. Santucci (Co-Chair), M. Stewart (Co-Chair), M. Verhovsek and T. Wingfield

Also Present: B. Forgie, Project Coordinator – Public Engagement
L. Kolar, Legislative Coordinator
U. Qureshi, Community Engagement Advisor, Office of the Mayor
J. Strutt, Senior Project Manager – Public Engagement
G. Tedesco, Senior Project Manager - Community Engagement

THE FOLLOWING ITEMS WERE REFERRED TO COUNCIL FOR CONSIDERATION:

FOR INFORMATION:

Joanne Santucci, Co-Chair, called the meeting to order. A land acknowledgement was read into the record.

(a) APPROVAL OF AGENDA (Item 1)

The Committee Clerk advised the Task Force that there were no changes to the agenda.

(Verhovsek/Wingfield)

That the agenda for the February 20, 2024 Mayor's Task Force on Transparency, Access and Accountability meeting be approved, as presented.

CARRIED

(b) DECLARATIONS OF INTEREST (Item 2)

There were no Declarations of Interest.

(c) MINUTES OF THE PREVIOUS (Item 3)**(i) January 17, 2024 (Item 3.1)****(Custers/Verhovsek)**

That the Minutes of January 17, 2024, be approved, as presented.

CARRIED**(d) STAFF PRESENTATION (Item 8)****(i) Presentation from Engage Hamilton respecting Engagement Processes and Practices (Item 8.1)**

Jocelyn Strutt, Senior Project Manager – Public Engagement, addressed the Task Force respecting Engagement Processes and Practices, with the aid of a PowerPoint presentation.

(Wingfield/Verhovsek)

That the Presentation from Engage Hamilton respecting Engagement Processes and Practices, be received.

CARRIED**(e) DISCUSSION ITEMS (Item 9)****(i) Mayor's Task Force on Transparency, Access and Accountability Meetings Schedule (Item 9.1)****(Wingfield/Custers)**

That the Schedule of meetings for the Mayor's Task Force on Transparency, Access and Accountability, be amended as follows;

- Wednesday, March 20, 2024
- ~~Wednesday, April 24, 2024~~ **Wednesday, April 17, 2024**
- Wednesday, May 15, 2024
- Wednesday, June 12, 2024
- Monday, July 8, 2024
- Wednesday, August 14, 2024
- Wednesday, September 18, 2024
- Wednesday, October 16, 2024
- Wednesday, November 13, 2024

Motion as Amended CARRIED

(Custers/Wingfield)

That the Mayor's Task Force on Transparency, Access and Accountability Meetings Schedule be approved, as amended.

CARRIED

(ii) Mayor's Task Force on Transparency, Access and Accountability Work Plans (Item 9.2)

(Wingfield/Verhovsek)

The following Working Groups of the Mayor's Task Force on Transparency, Access and Accountability, were approved:

- (a) Work Plan for Discovery Process – J. Santucci, T. Wingfield
- (b) Work Plan for Stakeholder Engagement – J. Santucci, B. Custers, M. Verhovsek
- (c) Work Plan for Professional Support Engagement – M. Stewart

CARRIED

(f) ADJOURNMENT (Item 16)

(Wingfield/Custers)

There being no further business, the Mayor's Task Force on Transparency, Access and Accountability be adjourned at 12:35 p.m.

CARRIED

Respectfully submitted,

Joanne Santucci, Co-Chair
Mayor's Task Force on Transparency, Access
and Accountability

Mark John Stewart, Co-Chair
Mayor's Task Force on Transparency, Access
and Accountability

Loren Kolar
Legislative Coordinator
Office of the City Clerk



Improving Service Standards and Transparency Servicing Residents with the Office of the City Clerk

By Hafeez Hussain
September 7, 2023

Overview



Council Strategic Mission



Current Gaps with the Office of the City Clerk



Issues with Freedom of Information Requests



Recommendation/Next Steps



Council Strategic Mission

Working of City Hall and Transparency in Municipal Government

The Office of the City Clerk Strategic Focus should focus on the following two areas

- Improve Public Engagement
- Efficient Customer Service and Communication

Goal – Is to provide residents and taxpayers of the City of Hamilton to transparent and open municipal government that is free of biases and treats everyone with efficient customer service and communication.

Currents Gaps with Office of the City Clerk



No Service Level Standards on Replying to Public Requests



Lack of Vision – Putting Customer at the Centre of Everything



Digital First - Lack of Digitization / Online Order Form to Pay for Records and Printing



No Policy of Fee Waivers due to AODA or Financial Fee Hardship



Efficiency Backup Coverage – Tasks are being done by one dedicated employee, lack of backup or key members of the Clerks office are responsible for vital services without any backup



Complaint Handling Process – No formal complaint handling process due to lack of City Ombudsman if Clerks haven't completed a request or do not follow a procedural by-law or FOI requests

Current Issues with Freedom of Information Requests

- By-Law 11-258 – Designated The City Clerk as the designated “Head” of the Municipal Freedom of Information and Protection of Privacy Act.
- There is no oversight on the “Head” to ensure that MFIPPA is being followed.
- The Information and Privacy Commissioner provided various of Orders to the City Clerks Office for numerous violations or lack of follow up or customer services (**MO-4397**, [MO-3752-I](#) [MO-3752-I](#) [MO-3764-I](#) [MO-3771](#))

Examples of IPC Orders that highlighted issues for the FOI Clerks

-
- In **MO-3771**, an IPC Adjudicator stated “I feel it necessary to point out that the city ... did not participate in the inquiry of the appeal. I remind the city of its obligations as an institution under the Act”
 - In **MO-4290-I**, another IPC Adjudicator stated “I find that the city has failed to provide any evidence of searches conducted to identify and locate records responsive to item 5. It states that some information responsive to item 5 is excluded, thereby implying that such information exists. While the city may ultimately decide that the records it locates should be excluded or exempt, it must first conduct a reasonable search, as required under section 17, then issue a decision in relation to any records it finds.”

Recommendation / Next Steps

- Implement Open Access to Municipal Government and Transparency for the Public and Improve Customer Service
- Introduce Service Level and Backup Coverage for Clerks
- Council to recommend an independent “Value for Money” Audit with the Office of the Auditor General to ensure there are gaps and lack of oversight in the City Clerk Office for FOI as well as the numerous IPC Orders against the City.
- Review By-Law 11-258 – To determine if the City Clerk should be designated as “Head” or have another department or head to have the authority to be the designated “Head”
- Introduce Digital Intake to Pay Credit Card/Request for Information using an online form/pay wall (Similar to Other Cities and Province FOI)
- Introduce Fee Waiver Policy – Have clear guidelines when Fee Waivers are processed for individuals with disability or financial hardship without unconscious biases being used
- Introduce Complaint Handling Process with Clerk Issues – IPC is the only avenue, could there be mediation at the City Level (i.e. Ombudsman, City Manager Office)

City of Hamilton**Mayor's Task Force on Transparency, Access and Accountability****April 1, 2024****Interested and Affected Parties:**

This document contains a draft non-exhaustive list of potential interested / affected parties related to transparency, access and accountability in Hamilton, as well as a list of potential modes of engagement. This list is an input to retaining a professional service provider and working together to refine the list and assign outreach and engagement activities between the Task Force and the service provider.

The Task Force notes that it expects to be able to seek and obtain insight from diverse and relevant interested / affected parties within the scope and time frame of its 2024 work plan. However, it notes that there are limits to the capacity of the Task Force and that ultimately, the objective of the 2024 work plan is to provide significant and meaningful feedback and recommendations to the City of Hamilton this year. It may not be possible to comprehensively to out reach to all interested / affected parties in 2024. However, it is a priority of the Task Force to ensure that all those who wish to provide input and perspective to the Task Force's mandate have an opportunity to do so, through email, delegating, or other channels of communication. As well, transparency, access, accountability, and trust building are activities that need to be done on an ongoing basis, and future Task Force members and leadership or other responsible leaders should continue to carry out the principles and tactics of this work.

Potential Interested / Affected Parties
<p>CITIZENS</p> <ul style="list-style-type: none"> Representation from: all wards, a diversity of demographic groups, different ranges of time living in Hamilton IDEAS lens – diverse races/ethnicities, SES, employment status, housing status (homeowner, renter, unhoused); Indigenous representation, individuals living with disabilities

- Representation from: all wards, a diversity of demographic groups, different ranges of time living in Hamilton
- IDEAS lens** – diverse races/ethnicities, SES, employment status, housing status (homeowner, renter, unhoused); Indigenous representation, individuals living with disabilities

ELECTED OFFICIALS

- **City Councillors**
- **Mayor**

KEY CITY DEPARTMENTS / STAFF

- Prioritize departments that interface with the public
- City Manager's Office (Communications), City Clerk's Department, Public Health, Police Services, Paramedic Services, Fire Department, Recreation, Public Health, Housing, Public Works, HSR

INSTITUTIONAL PARTNERS

- **Healthcare** – i.e. Hamilton Health Sciences, St. Joseph's Healthcare Hamilton, CHCs, Family Health Teams, Refuge Centre for Newcomer Health, Shelter Health Network
- **Education** – i.e. HWDSB, HWCDSB, Conseil scolaire Viamonde (francophone), Mohawk College, McMaster University, Redeemer University
- **Business** – i.e. Hamilton Chamber of Commerce, BIAs
- **Community and Social Services** – i.e. HARRC, Hamilton Regional Indian Centre, SPRC, Wesley Urban Ministries, Mission Services, Good Shepherd, Mishka, Salvation Army, The Hub, SACHA, YMCA, YWCA, Indwell, Hamilton Food Share, CAMH, Ancaster Community Services, Hamilton Community Legal Clinic, Hamilton Community Foundation
- **Media Outlets** (Traditional/Social)

COMMUNITY ORGANIZATIONS

- **Advocacy Organizations** – i.e. Environment Hamilton, ACORN, Empowerment Squared, ACCA, Hamilton Centre for Civic Inclusion, John Howard Society, Community Benefits Network

- **Faith Communities**
- **Community Service Groups** - i.e. Kiwanis, Rotary Clubs
- **Sports / Cultural Organizations** - i.e. Theatre Aquarius, Art Gallery of Hamilton, The Westdale, Hamilton Tiger-Cats, Cobalt Connects.

Potential Methods of Engagement

- Engage Hamilton Survey / Online Questionnaire
- Direct Mail / Telephone Survey
- In-Person / Virtual Delegations to MTFTAA
- 546-CITY Feedback / Automated Telephone Survey
- Feedback via Mayor's Office / Councillors
- Media Opportunities
- Attendance at Community Forums / Existing Gatherings
- Focus Groups