



STAFF REPORT INFORMATION ONLY

Review of Board Committee Structure

Date:	April 21, 2015
To:	Strategic Planning Steering Committee
From:	City Librarian

SUMMARY

On March 23, 2015, the Toronto Public Library Board passed a motion to expand the mandate of the Strategic Planning Steering Committee to include a review of the Board's committee structure. This report provides information on the current committee structure, the history of the structure as well as the legislative and policy context. Background information is provided on the organizational processes involved in supporting committees.

To support the Strategic Planning Steering Committee's work, this report also summarizes criteria that may be considered in determining whether each committee should be continued. The report provides information on the committee structure at other libraries in Canada and at City Council.

FINANCIAL IMPACT

This report has no financial impact beyond what has already been approved in the current year's budget.

The Director, Finance & Treasurer has reviewed this report and agrees with the financial impact information.

DECISION HISTORY

The Board, at its March 23, 2015 meeting, approved the following motion:

That the Toronto Public Library Board:

1. *defers consideration of all Committee members, Board representatives and Association members with the exception of the Strategic Planning Steering Committee;*
2. *amends the Strategic Planning Steering Committee terms of reference as follows:*
 - a. *expand the mandate to include a review of the Board committee structure, including the mandate, membership and value of committees and make*

recommendations to the Board; and to report back on the committee structure no later than May 31, 2015;

- b. change the membership of the Strategic Planning Steering Committee to be open to all Board members interested in joining the committee, including a minimum of three Board members;*
- c. change the notice of meetings to at least five business days in advance of the meeting.*

ISSUE BACKGROUND

Legislation and Library Policy

Under the *Public Libraries Act* – s. 20(i) “a board may appoint such committees as it considers expedient.” The legislation does not require boards to establish any committees and sets no conditions except for the consideration of expedience.

The Board’s Procedural By-Law provides for the creation of committees under section 43, which states that “the Board may establish committees as required.” Under the Procedural By-Law, the Board must determine the purpose, membership and timeframe for undertaking activities for each committee. Each year, the Board must review the need for and membership of each committee.

Committees only make recommendations to the Board and do not have the authority to make final decisions.

The by-law does not provide rules on the number or frequency of meetings. Therefore, committees do not have to meet on a regular schedule.

History of Board Committees

The Toronto Public Library Board did not have any standing committees until the Employee and Labour Relations Committee was established in 2007. The six-person committee began by overseeing WSIB incidents and grievances on an organization-wide level. Later it examined issues such as the Fair Wage Policy and collective bargaining.

In 2008, a Naming Committee was established as a result of the Library’s Naming Policy, which requires Board approval of naming opportunities. A committee may be established under the policy, but a committee is not a requirement of the policy. Currently, the Board does not have a standing Naming Committee.

The Board remained at two committees until 2011, when the Budget Committee was formed. The Advertising Review Working Group and E-book Working Groups were created in 2013. The former was formed under the Board’s Advertising Policy.

The Strategic Planning Steering Committee is an *ad hoc* committee created to develop each new strategic plan for the Library. Committees were struck in 2012, 2007 and 2003.

The City Librarian's Annual Performance Review Committee was formally established in 2014.

Committee Processes

Staff Support

The Board is the highest authority within the organization. As a result, work for the Board and its committees is given top priority within Toronto Public Library and can take precedence over resources devoted to other library operations or core service delivery. Report requests or approved committee motions require relevant departments to provide research, compile data, offer analysis and write reports. All reports sent to committees of the Board are reviewed by the executive team before being presented to the committee members.

Board and committee meetings require administrative support in coordinating meeting dates and times, assembling and delivery materials, minute-taking and room set-up. Materials are uploaded by staff to the website prior to any meeting. Relevant staff, usually at the most senior levels, must attend to be available to answer questions that committee members may have.

Committee Meeting Scheduling

Unlike Board meetings, committee meetings do not have a meeting schedule established at the beginning of each year. Generally, committees determine their own schedule and meet when the committee membership, in consultation with staff, determines a meeting is required. As a result, committees do not meet on a regular schedule.

Under the Procedural By-law, members are provided notice within three clear days of each committee meeting. In practice, library staff assist with scheduling meetings and work with committee members to determine dates where availability is highest amongst members.

Relationship to Board

Committees are established to help the Board accomplish its work. Committees can only make recommendations to the Board. Therefore, committees add an additional level of decision-making. Consideration should be given to whether a committee provides more timely oversight and guidance to staff versus having a matter brought to the Board directly.

Open Meetings

Like Board meetings, committee meetings must be open to the public and adhere to the open meeting requirements of the *Public Libraries Act* and can only be closed to the public in specific circumstances (e.g. matters regarding individual privacy, labour negotiations, etc.).

Public Presentations

Both Board meetings and committee meetings allow for presentations from the public. This is distinct from City Council, which only permits public presentations at committees. Public presentations at library committees have been rare.

Other Library Boards in Canada

A review of 11 other library systems in Canada found a wide variance in committee structures. Some boards have up to five standing committees while other boards, including Ottawa, Markham and London have no standing committees (but form *ad hoc* committees that are established and meet on an as-needed basis).

Multiple boards, including Vancouver, Edmonton, Hamilton and London, have either standing or *ad hoc* committees that deal with governance, or some aspect of governance, such as orientation and nominations.

Markham has chosen to work as a Policy Governance Board (i.e. using the Carver model) and does not have any committees. Under this model the board focuses on governance and oversight and is responsible for determining the vision, mission and strategic imperatives of the organization. The board focus is on the end results to be achieved and not the specific manner in which staff will help achieve them.

Since they were established, the Library Board has not undertaken a review of its committees.

City Council Committee Structure

The government of the City of Toronto provides services to 2.8 million residents with an operating budget of \$11.5 billion. Municipal services are delivered by over 35 different divisions. City residents are represented by 44 Councillors, and one Mayor, who sit on City Council. Due to the scope of the work, Council has an extensive committee structure which includes:

- Executive Committee:
 - three committees that mainly report to the Executive Committee;
- four Community Councils;
- seven Standing Policy committees;
- four other committees that report to Council.

The duties and primary focus of Council standing committees are listed in Article XVI of the Council Procedures (Municipal Code Chapter 27). These duties are:

1. providing direction, setting priorities, and ensuring co-ordination between related policies, programs, and services;
2. providing forums for public participation and detailed discussions of the City's decision-making;
3. Providing forums for substantial policy debate within their respective mandates;
4. Making policy recommendations to Council and recommending priorities within the committee's budget;
5. Considering reports from City officials on implementing program and policy decisions within the committee's mandate; and
6. promoting accountability and interaction with Council on behalf of agencies.

The terms of reference, including the mandate, authority and composition of each standing committee is specified in Appendix B-1 of Council Procedures. Standing committees meet on a four-week schedule.

Council also has special committees, including the Audit, Striking, Civic Appointments, Budget, Affordable Housing, and the Employee and Labour Relations committees.

Both standing and special committees are made up of a select group of City Councillors. With limited exceptions – most notably for Community Councils – committees make recommendations to City Council for a final decision.

Comparison between City Council Committees and Library Board Committees

The Library Procedural By-Law and Board policies do not outline general duties for standing committees. The Procedural By-Law leaves the establishment and mandate of Board committees to the discretion of the Board. Standing committees of the Library Board are generally not designed to fulfill the same functions as the standing committees of City Council. The following chart compares the aforementioned six duties for Council standing committees and the current function of library boards:

City Standing Committee Duties	Library Committee Functions
Providing direction, setting priorities, and ensuring co-ordination between related policies, programs, and services	Committees can provide direction and recommend priorities for the Board. Coordination of policies is performed at the Board level.
Providing forums for public participation and detailed discussions of the City's decision-making	Library committees do allow for public presentations, but generally presentations are made to the Board. At Council presentations are not permitted. Therefore, Council committees are the only venue for public presentations.
Providing forums for substantial policy debate within their respective mandates	Library committees have been forums for substantive policy debate and discussions about priorities, new directions
Making policy recommendations to Council and recommending priorities within the committee's budget	Library committees make recommendations to the Board, but do not have their own budget.
Considering reports from City officials on implementing program and policy decisions within the committee's mandate	Library committees will receive and consider information and action reports from staff.
Promoting accountability and interaction with Council on behalf of agencies	Toronto Public Library does not have any agencies.

Note that under the Procedural By-Law, library committees do not have any authority to make decisions on behalf of the corporation. Therefore, all matters considered at the committee level must be reconsidered at the Board level. In contrast, some Council Committees, most notably Community Councils do have the authority to make final decisions on specific issues.

COMMENTS

Potential Advantages and Disadvantages of Committees

Board committees have potential advantages and disadvantages depending on the way committees are utilized and operate in practice. Both advantages and disadvantages can become more pronounced based on factors such as committee size, member expertise, mandate, frequency of meetings and whether committees are standing or special committees.

Advantages	Disadvantages
<ul style="list-style-type: none"> • allows for more detailed or in-depth examination of an issue • allows for members with expertise or interest to focus on specific issues • committees with flexible scheduling can deal with a matter in a timely manner • smaller committees may encourage individual members to voice an opinion when given more time and/or a less formal structure • can be used to allow ideas or a project to develop or incubate 	<ul style="list-style-type: none"> • duplicates work by examining an issue twice • can slow down decision-making because recommendations have to go to the Board • creates additional time demands on board members • some members not on a committee may feel excluded from the recommendation-making processes • committee’s agenda can be out of alignment with the Board’s agenda

Criteria for Establishing a Committee

Research, including a review of *Roberts Rules* and *Nathan’s Company Meetings*, indicates that there are no general rules that govern when a board should establish a committee. However, there are several criteria that can be applied to assist the Board in making this decision.

1. Is there a major issue or specific issue that needs to be addressed?
2. Would a committee facilitate good decision-making by the Board on this issue?
 - a. Does the issue require more detailed attention than the Board can devote to it?
 - b. Does the issue require more time than the Board can devote to it?
 - c. Would a smaller group of Board Members focusing on an issue be more effective?
 - d. Would a committee provide a more thoughtful assessment of the issue?
3. Does the committee, or the committee structure, provide the best division of responsibility to accomplish the corporation’s mandate and the Board’s work?
 - a. Does the committee allow the Board to focus its expertise on the issue?

- b. Does the committee structure help manage the flow of information?
 - c. Is the issue operational or policy/governance (i.e. are these matters more appropriately dealt with by professional staff, or by Board members, or a combination of both)?
4. Overall, is the additional workload from the committee worthwhile for both Board members and staff?

Attachment 1 provides information on each committee and working group, including the mandate, a sample of recent work, number of members, average number of meetings per year and an anticipated 2015 timeline. The committees and working groups are:

- Budget Committee
- City Librarian’s Annual Performance Review Committee
- Employee and Labour Relations Committee
- Strategic Planning Steering Committee
- Advertising Review Working Group
- E-Book Working Group

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SIGNATURE

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ATTACHMENTS

Attachment 1: Board Committees and Working Groups

BOARD COMMITTEES AND WORKING GROUPS

Budget Committee

Mandate of the committee is to:

- provide advice and make recommendations to the Board on budget matters related to the development and approval of the Library's operating and capital budgets;
- report its activities and recommendations to the Board;
- committee decisions are not binding on the Board.

Sample of Committee Work:

- review of the process by which library priorities are identified in Section 37 discussions and recommended strategies to increase Section 37 contributions to the Library;
- requested staff to report on various issues such as: a) the quantification of staff-time savings from expanded RFID, automated sorters, and online fines payment, b) the Branch Staffing Model, c) a sunset schedule for near obsolete media including CD's and DVDs.

Number of Members:

- six (Chair, Vice Chair, and three additional members).

Average Meetings per year:

- four.

2015 Timeline:

- May: staff provide an outline of how each budget is developed, criteria, priorities, pressures, etc. to assist the committee in guiding the development of the capital and operating budgets;
- June: capital budget submission;
- August: operating budget submission;
- November: staff provide: 1) status of City staff budget review and recommendations and 2) timeline for the political (Council Committee and Council) phase of the budget review.

City Librarian's Annual Performance Review Committee

Mandate of the Committee is to:

- review and evaluate the performance of the City Librarian.

Number of Members:

- three (Chair, Vice Chair and one additional member).

Meetings in Previous two years:

- one in 2015.

2015 Timeline:

- March – annual review.

Employee and Labour Relations Committee

Mandate of the Committee is to:

- receive regular updates on labour relations and related human resources issues;
- review matters referred to by the Library Board and make recommendations to the Board as required;
- provide guidance to staff on labour relations and related human resources matters;
- report its activities and recommendations to the Board;
- committee decisions are not binding on the Board.

Sample of Committee Work:

- provide direction to staff during collective bargaining;
- committee requested and received reports on staffing including: a) a summary of staffing levels and changes since amalgamation, by job class; b) average hours of work, access to benefits, tenure of part-time employees by job class; c) staff transition from part-time to full-time, and promotions; and d) service standards and their relationship to staffing;
- examining non-union compensation.

Number of Members:

- five – Board Chair and four other members.

Average Number of Meetings per year:

- two.

2015 Timeline:

- July to December – planning for collective bargaining negotiations.

Strategic Planning Steering Committee

Mandate of the committee is to:

- review the committee structure of the Board;
- provide leadership and oversight of the strategic plan;
- provide input into the environmental scan, receive reports and ensure this information is reflected in the draft priority areas;
- review and provide input into the consultation and engagement strategy;
- receive the results of public consultation and ensure the findings are reflected in the draft strategic plan;
- review, provide input and recommend to the Board the draft strategic plan prior to it being presented to the Library Board for approval.

Sample of Committee Work

- reviewing results of public consultations;
- developing the strategic plan.

Number of Members:

- Up to 13 (12 Board members and Foundation representative).

Average Number of Meetings per year:

- four during strategic planning development (0 in other years).

2015 Timeline:

- April to December – development of the 2016 – 2019 strategic plan.

Advertising Review Working Group (ARWG)

Mandate of the working group is to:

- review advertising material that may not be consistent with the Library's Advertising Policy for placement within library channels. Such advertising material may be sent to the ARWG at two points:
 1. before advertisement posting in response to a complaint or inquiry by an advertiser or when Library staff are uncertain about the advertisement's consistency with the Policy; and
 2. subsequent to an advertisement being posted, in response to a complaint or inquiry by the public;
- in reviewing advertising materials for the Library, the ARWG will consider whether the advertising material in question is consistent with the Library's Advertising Policy. The ARWG may choose to approve or not approve advertisements that it has been asked to review.
- ARWG will act as the final arbiter in all matters relating to advertising acceptance in the circumstances identified above.

Sample of Recent Work:

- examining the terms of reference of the working group;
- dealing with a customer complaint regarding due date slip advertising featuring specific organizations, including Diamond & Diamond lawyers and Pizza Pizza.
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Number of Members:

- five (two Board, three staff).

Average number of meetings per year:

- one.

2015 Timeline:

- None. Group meets on an as-needed basis.

E-Book Working Group

Mandate of the working group is to:

- provide leadership in the development and oversight of advocacy strategies that:
 - encourages Canadian and multinational publishers to sell e-content to public libraries under reasonable terms;
 - informs the public about the restrictions public libraries face in making e-content available for borrowing;
 - receive the results of advocacy strategies for review and additional input;
 - report its activities and recommendations to the Board;
 - working group decisions are not binding on the Board.

Sample of Recent Work:

- advocating that publishers sell e-books to public libraries at reasonable prices;
- investigating legal options for increasing e-book access;
- requested that the Competition Bureau investigate practices of publishers in relation to e-books.

Number of Members:

- five.

Average Number of Meetings per year:

- 2.5.

2015 Timeline:

- None.