

## CAO Role Statement



Section	Date	By-Law Number	Page	Of
City Council	October 20, 2015	150-2015	1	8
Subsection	Repeals By-Law Number	Policy Number		
		CC-1-4		

Council may choose to appoint a Chief Administrative Officer (CAO). If appointed, the Municipal Act (2001) outlines the responsibilities of the CAO.

### Chief administrative officer

- 229.** ... chief administrative officer who shall be responsible for,
- (a) exercising general control and management of the affairs of the municipality for the purpose of ensuring the efficient and effective operation of the municipality; and
  - (b) performing such other duties as are assigned by the municipality;

The CAO's work is multi-faceted and includes the responsibility of all aspects of the administration: the duty of advising the Mayor and members of Council; ensuring a focus on quality customer service; supporting and coaching team members; ensuring sound policies are developed; establishing the necessary supporting procedures; participating as a member of the senior management team; supporting effective administration; and working collegially with Council.

The CAO's ability to carry out these roles depends in large measure on their ability to build relationships with those in the organization (particularly at the senior level) and to develop a strong relationship to Council. This is generally a function of their ability to advise Council regularly and comprehensively such that the latter is able to develop a high degree of confidence in the CAO's ability to carry out the tasks involved.

### A Critical "Link-pin"

Each Council should be advised by one person who should be delegated authority over the administrative organization. While that is admittedly a sweeping statement it is nonetheless an accurate portrayal of a very healthy system. The CAO should be viewed as Council's "go to person".

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### **Strong Relationship Required**

There are various reasons why such a strong emphasis should be placed on relationship and confidence building between Council and the CAO.

First, the decisions of the governing body are often predicated on their confidence in the advice provided by their administration. Where there is a substantial degree of confidence, it may be presumed that the Council will accept the advice and provide their approval by way of resolution, policy or by by-law. This is not to say that there will not be suggestions for change or amendment or questions relative to options that have been presented. There is not, however, any likelihood of hand-wringing over the "what ifs" after the meeting, given that Council feels confident that it has received all of the salient and available information and thus its decisions, regardless of their popularity, are likely sustainable.

Secondly, the decisions being made by a Council on the advice of its CAO are assumed to be relatively "high level" and of substantive impact on the delivery of local government services or the resolution of issues. As a result, it is imperative that the advice of the CAO is presented in an honest, comprehensive and straight-forward manner without reference to the potential political fall-out which might occur. Similarly, Council members should be able to receive the reports and advice of the CAO with complete confidence. Both Council and the CAO will recognize that a perception that decisions have been mishandled or with less than complete objectivity and professionalism, may negatively impact the City. Such decisions may become the matter of lawsuits if not carefully managed and may cost the City financially and may negatively impact the City's reputation if it is found that the City acted without taking all the steps that would be considered by peers in similar circumstances as "reasonable, logical".

Thirdly, the role and performance of the CAO impacts the perception that a Council can have of its complete administration and particularly those at the senior management level. If the relationship between the Council and CAO is one based on trust and respect then there is more likely to be a similar degree of confidence in the work and reports of other members of the senior management team. If there is a lack of trust then it might be expected that members of Council will begin to bypass the CAO and deal directly with the other senior managers. If the Council has confidence in the ability of its CAO to make quality decisions, this transfers as well to the CAO's ability to recruit top quality people for senior level positions as well as being able to make prudent decisions relative to their hiring or dismissal.

### **One Employee Model**

Many jurisdictions across Canada recognize the value of considering Council as a "one employee" organization. This model requires the advice to Council being vetted, approved and signed off by the CAO and any direction to the administration either flowing through the CAO or being subject to the approval of the CAO.

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Another significant role played by the CAO is that of the administrative team leader responsible for organizing and building the skills and abilities necessary to discharge the functions of a City. According to the position description, the CAO is also responsible for ensuring that there is a strong focus on quality customer service using a team approach. This requires training and coaching senior staff in what the City regards as "quality service". Further, the leadership must not only encourage all members of the administration to pursue service excellence, the CAO and her team must "walk the talk" such that those following can model their performance and attitude in terms of what they see on a daily basis in the lives and management styles of the CAO and her subordinates.

A part of this responsibility is to build into the direct reports and through them to the rest of the administration, the type of successes that are possible through collaborative efforts. This is never accomplished at once or through an individual effort but over the course of time and through the combined efforts of all senior team members.

The CAO also has a delicate balance to maintain in terms of their leadership "at the table". The CAO needs to be seen as "in charge" without using the powers attached to the role in such a way as to intimidate her colleagues. Their role as meeting chair is to guide discussions, solicit solutions to issues, encourage respect for the Council, and plan administrative response to the Council's leadership (as expressed through the budget and strategic plan). If the message is one of empowerment and support for a collegial approach, then unilateral decisions should be minimal.

Council also needs to have confidence that its decisions are going to be carried out by the administration immediately (i.e. as soon as realistically possible) after the Council meeting. Thus, regardless of the advice of the CAO and administration being deemed acceptable or not, the decision of Council is that which defines the resulting action. The CAO is responsible for ensuring that the decisions of Council are implemented as quickly as possible after the motion approving such action.

### **Policy Advice**

One of the principal roles of any chief administrative officer is that of acting as the Council's principal policy advisor. The issues that should be presented to a Council by the CAO should be those that are significant to the well-being of the community. These should always be accompanied by the written advice of the CAO and should include reference to the existing policy that may need to be changed or waived or to a proposed new policy that ought to be drafted by the CAO and presented to Council.

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As a result, the CAO should:

- take forward to Council any issues which the CAO is not familiar with and which is not a matter which is subject to a current council policy or bylaw
- provide their advice to Council in written form relative to any such issue, clearly outlining the key elements of the issue and including a recommendation as to the appropriate action by council
- identify the concerns of the residents and advise Council as to the essence of any concerns and what administration has been doing about them
- ensure that the services of the organization are clearly defined and are in concert with the expectations of the residents
- create position descriptions which reflect actual and current duties to be provided by each of the personnel
- empower staff to take action on their areas of responsibility
- provide support for staff in the face of any criticism from the public or from the council; take corrective action vis-à-vis poor performance where that is justified; provide confidential performance feedback to staff on an annual basis
- coordinate the efforts of the staff through regular meetings
- encourage ongoing and relevant training for staff; advise council which courses are available and which are applicable and appropriate to which staff position
- ensure that the compensation plan and personnel policies are appropriate and fair for all employees.

### **Assistance to the Council in Direction-Setting**

While the Council has the principal role in setting forth the vision for and with the community, this does not happen in a vacuum. The CAO is expected to play a significant role in developing the approach to be taken by the Council in articulating its views as well as providing advice to the Council on both current and future issues that need to be taken into consideration.

The CAO is expected to provide Council with the background to what has been done by prior Councils; the role of planning with regard to the budget; the impact of past plans on the work of the administration; the projects that have been previously committed to by this or a prior Council; the impact of public consultation on the community's priorities.

What the CAO should not do is provide Council with a comprehensive draft plan and ask for its approval. Baptizing the will of the administration is not a good example of Council's vision.

### **Leadership to the Administration**

The CAO is expected to play the predominant role in acting as the team leader of the administration. In this respect, they act as the key linkage between the policy-makers on the one hand and the policy advisors and implementers of policy on the other. The CAO represents the narrow portion of the hour glass in that information and advice going to Council needs to be cleared through their office whereas the direction from Council and guidance on how the will of Council is to be discharged also flows downward from the CAO.

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The CAO needs to have a thorough knowledge of the programs and services offered by the municipality. While the CAO should not be expected to be the expert in such matters where there are qualified staff leading those departments, the CAO still needs to be sufficiently briefed as to the key directions and issues being faced by each department and/or service area.

### **Responsible for Hiring Senior Positions**

The CAO is also responsible for directing/choosing who is to be hired in the key senior positions in the organization. Any position reporting to the CAO should be hired by the CAO. Any position reporting directly to a department head should, with few exceptions, be reviewed and approved for hiring by the CAO. The request for new positions should be approved by the CAO as should a recommendation to change the organization structure. Managerial procedures should also be the purview of the CAO. Whereas the Council is responsible for establishing the policies of the system, the CAO needs to ensure that those are supported by effective administrative procedures. The CAO also may also be charged with the development and approval of administrative policies.

### **Relationship Building with Council as a Whole**

One of the key components of a well-rounded performance review system is an assessment of the relations that the CAO has developed and maintained with all members of Council, including the relationship to the Mayor.

It needs to be made clear that the role of a CAO is set out in legislation as being subservient to the Council as a whole. This is an important distinction in that all too often the Mayor or a powerful Councillor will exert influence over the CAO as though they had ownership of their role. Such a misapprehension of roles should never be tolerated by other members of Council as it establishes a dangerous precedent for future administrator-Council relationships and because it is contrary to the law.

The CAO answers to Council as a whole. The CAO reports should be addressed to the "Mayor and Councillors" and any advice presented to one should be immediately copied to all others on Council. This is one of the key mechanisms for communicating this critical understanding. While the CAO needs to have a particular relationship to the Mayor based on more extensive contact with the chief elected official, they must ensure that the proximity of that relationship does not interfere with the separation of roles. The Mayor acts as Council's liaison to the CAO and will pass both information and comments along that the CAO feels are significant. That relationship, however, must not grow into something it is not intended to be or there will accrue negative results.

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### Developing Protocols

It would be useful for the CAO to draft for Council approval certain protocols that establish how this relationship will function. Such protocols need to include:

- Direction given to the CAO
- Direction given to other members of the administration
- Contacting staff for information/advice
- Access to preliminary research reports
- Use of office for private meetings
- Distribution/Use of Councillors' access to information
- Access by the CAO to legal advice
- Role of CAO at meetings with other political leaders
- Role of CAO in approval of Councillor expense accounts

### Fiscal Management

Ensuring that the financial affairs of the municipality are being properly managed is also a requisite function of the CAO. While local governments often associate that responsibility with the Treasurer/Manager of Corporate Services & Strategic Initiatives, the person most accountable for the fiscal health of the municipality is the CAO.

Such a statement is not contrary to any delegation of responsibility to the Chief Financial Officer (CFO). Rather, it is a reflection of the principle of personal accountability of the senior officer. The former (the CFO) is the person most likely to have the best grasp on the financial affairs of the community. The latter (i.e. the CAO) is the key member of the administration who should be held accountable by Council for ensuring that the fiscal affairs of the municipality are always maintained in a sound, healthy state. Thus, it is incumbent upon the CAO to choose someone for the important post of Chief Financial Officer who has the requisite skills and academic preparation, realizing how important that role is to the Council and residents of the community.

### The CAO-Staff Relationship

The CAO has at least one other very significant audience with whom to maintain a high degree of confidence. The administration holds the keys to whether or not the decisions of the Council are being translated into action. If the CAO and their senior staff are on the same page, then it is likely that the decisions of Council will successfully work their way down the system. Where there is a lack of confidence in the CAO by the senior staff, that undercurrent of non-support will also send waves across the organization and will result in discontent, low morale and poor performance. The CAO has to be the team leader and in order for that to happen, the CAO has to be able to engender respect for the CAO role.

As chief administrative officer, one of the principal functions is to provide both a directing and coordinating role vis-a-vis other staff. The CAO is to be responsible for the functions and activities carried out by subordinate staff. While it is apparent that the CAO will need to know something about each of their areas of responsibility, it is equally evident that the CAO will need to rely upon the expertise and academic training possessed by each of these individuals.

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### Relationship to the Public

The CAO also has an important role in setting the tone of the municipality's relationship with the public. If the CAO sees the public as the client and the most important audience that the staff have for their work, then the responsiveness of the CAO will underline this sense of closeness to the people being served. If, on the other hand, the CAO is seemingly more interested in the technology of city hall and/or the outside involvements that they have, then the administration as a whole may respond with indifference to the needs and complaints of the public.

Local municipal officials must be prepared to respond to all sorts of demands both reasonable and unreasonable. There are times when the pressures are heavy and responses to the public are not made in as courteous and polite manner as they might be.

The CAO and all other staff members must remember that they serve the public and that they are the people who represent the City to them. The job is not always easy but a positive attitude toward the public will not only help - it should be considered as essential.

### Quality of Reports

The principal mandate of the senior staff, particularly the Chief Administrative Officer, is to advise the Council as to its policies, programs, decisions and budget. A CAO is normally retained due to their expertise and experience. It is that which Council wishes to "tap". Such advice should be prepared and delivered by the CAO to Council in advance of any meeting (whether Committee or Council).

It is ultimately the Chief Administrative Officer's responsibility to check each report to Council in light of the following:

- does this issue need to be decided by Council?
- is this issue of considerable political interest to Council?
- has the appropriate format been followed?
- is the information complete?
- is it well-written?
- do I agree with the recommendation(s); if yes, have I signed it off; if not, have I attached my own report?

In the final analysis, it is the responsibility of the Chief Administrative Officer to ensure that any reports which are to be presented to Council meet the stated (written) standards of quality and completeness. This does not necessitate that the Chief Administrative Officer defer or dismiss reports which she may not fundamentally agree with but, rather, ensure that the CAO's opinion, if contrary to that of the writer, is presented to Council as the covering document. In some instances, the Chief Administrative Officer might wish to request Council to defer or delay a decision until the management has had further opportunity to study the issue(s).

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### **What if the Reality Proves Otherwise?**

It is possible that a Council can be served by someone who lacks professionalism; plays silly games; is caught up in power; listens only to the Mayor; abuses senior and junior staff; has an anger (or substance abuse or pornography) problem; etc. All of the foregoing have happened. None of the foregoing are reasons to abandon the notion that a solid administrator with considerable authority is not the way to go. Council just has to make better choices and get the recruitment right at the outset. Find the best person available after utilizing a thorough (and preferably independent) executive search process.

### **Don't Settle**

Do not settle for a warm body or someone local who has managed the hardware store but knows nothing about municipal management. While someone with generally good management skills could grow into the role of a CAO, this is not an easy transition and particularly not if the candidate does not have experience working at a senior level in the public sector. The role of a CAO is critical to the success not only of a Council but, more importantly, the community.