

CAO Performance Management Policy



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Subsection	Repeals By-Law Number		Policy Number	
CAO	N/A		CC-1-6	

Purpose

This policy aims to provide clear guidelines for Council's approach to evaluating and supporting the performance of the CAO, ensuring that feedback, issue resolution, and support mechanisms are effectively managed to promote the success and efficiency of Council and City Administration.

Principles

The procedures contained herein build upon the Council-Chief Administrative Officer (CAO) Covenant, and Role Statements for the Mayor, Council and the CAO, and CAO Recruitment Policy, as outlined within City Policies CC-1-1 through CC-1-5, together with the City's Procedural Bylaw, and should be considered in conjunction with those documents.

DEFINITIONS

In this policy:

Chief Administrative Officer or CAO means the Chief Administrative Officer of the Corporation of the City of Kenora.

Mayor means the Head of Council for the City of Kenora.

Deputy Mayor means the Member of Council appointed by way of resolution at the Inaugural Meeting who may act in the Mayor's absence and while so acting, such member has and may exercise all rights, powers and authority of the Mayor. For the purposes of this policy, the Member of Council who holds the title of Deputy Mayor at the onset of any evaluation or grievance resolution process will see the process through to completion.

Council means the whole of City Council.

City Clerk means the City Clerk, the Deputy Clerk, or any other individual who has been delegated with the authority of the Clerk by the City Clerk.

Senior Leadership Team (SLT) includes all direct reports to the CAO.

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Evaluation Period means the period of time between the time between evaluation processes for the CAO. For example, if an evaluation wraps up in January of a given year, and the next one is scheduled to commence in January the following year, the 12 months between are considered the evaluation period.

Policy Statement

1. Authority and Responsibilities:

- 1.1 Council holds the exclusive authority to hire, supervise, evaluate, and, if necessary, terminate the employment of the CAO. As the CAO is the sole employee of the Council, this responsibility encompasses all aspects of performance management.
- 1.2 The CAO is responsible for the overall administration of City operations, implementation of Council policies, and the effective management of City staff. Council is committed to supporting the CAO in fulfilling these responsibilities by providing clear direction and feedback.

2. Performance Management Process:

- 2.1 **Evaluation:** Council will conduct regular performance evaluations of the CAO, at least annually, to assess effectiveness, achievement of organizational and personal goals, and alignment with the City's strategic objectives. Evaluations will be based on objective criteria and documented performance metrics through a process detailed under Performance Management Process A.
- 2.2 **Feedback:** Constructive feedback will be provided to the CAO throughout the evaluation period. Council members will engage in open, respectful dialogue to address performance issues, celebrate successes, and offer suggestions for improvement.
- 2.3 **Support:** Council will ensure that the CAO receives the necessary resources, training, and support to perform their duties effectively. This includes fostering a collaborative environment where the CAO can seek advice, share challenges, and propose solutions.

3. Handling Challenges:

- 3.1 Any performance-related issues or challenges will be addressed promptly and professionally. Council will work with the CAO to identify underlying issues, develop action plans, and provide the support needed to overcome obstacles.

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- 3.2 Council has both formal and informal processes for addressing grievances or concerns related to the CAO's performance, ensuring fairness and transparency throughout the resolution process, detailed under Performance Management Process B.
- 3.3 Council has both formal and informal processes for the CAO to address conflict between the CAO and a member or members of council that ensures fairness and transparency throughout the resolution process, detailed under Performance Management Process C.

4. Mutual Success:

- 4.1 The success of Council and the CAO is interdependent. Council is committed to maintaining a positive working relationship with the CAO, based on mutual respect and shared goals.
- 4.2 Through effective performance management, feedback, and support, Council aims to foster an environment in which the CAO can excel in their role, thereby advancing the interests and well-being of the Corporation of the City of Kenora and by extension, the broader community.

Performance Management Processes

A. Evaluation Process for the Chief Administrative Officer

This evaluation process outlines the steps for assessing CAO performance. It involves the facilitation of the evaluation by the Mayor and Deputy Mayor, with the assistance of an external consultant selected through an RFP process.

1. Objectives

- To conduct a comprehensive and objective performance evaluation of the CAO.
- To ensure the evaluation process is transparent, unbiased, and aligned with best practices.
- To provide actionable feedback and support for the CAO's professional development and overall performance.

2. Planning and Preparation

- 2.1 **Define Evaluation Criteria:** The Mayor and Deputy Mayor, in consultation with Council, will establish clear and specific evaluation criteria. These criteria will be based on the CAO's job description, key performance indicators, and the City's strategic goals.

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- 2.2 **Develop RFP for External Consultant:** An RFP will be developed to solicit proposals from qualified external consultants who specialize in performance evaluations and organizational assessments. The RFP will include:
- Objectives of the evaluation.
 - Scope of work, including specific tasks and deliverables.
 - Qualifications and experience required for consultants.
 - Timeline and budget for the evaluation.
 - Criteria for selecting the consultant.

- 2.3 **Issuance of RFP:** The RFP will be issued subject to the City of Kenora Procurement Policy.

3. Selection of External Consultant

- 3.1 **Review of Proposals:** A selection committee, including the Mayor, Deputy Mayor, and one additional Council member, will review the submitted proposals based on the criteria outlined in the RFP with support from the City Clerk.
- 3.2 **Awarding the Contract:** The contract will be awarded subject to the City of Kenora Procurement Policy with support from the City Clerk.

4. Conducting the Evaluation

- 4.1 **Kick-off Meeting:** The external consultant will hold a kick-off meeting with the Mayor, Deputy Mayor, and relevant Council members to clarify expectations, confirm the scope of work, and establish a timeline.
- 4.2 **Data Collection:** The consultant will collect data through various methods, which may include:
- **Interviews:** Conducting interviews with the CAO, members of the Council, Senior Leadership Team, and other stakeholders.
 - **Surveys:** Administering anonymous surveys to gather feedback from staff and other relevant parties.
 - **Documentation Review:** Reviewing relevant documents such as performance reports, strategic plans, and previous evaluations.
- 4.3 **Analysis:** The consultant will analyze the collected data to assess the CAO's performance against the established criteria. This analysis will focus on achievements, areas for improvement, and alignment with the City's strategic objectives.

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5. Reporting and Recommendations

- 5.1 **Draft Report:** The consultant will prepare a draft report detailing the findings, including an evaluation of the CAO's performance, strengths, and areas for development. The draft report will be shared with the Mayor and Deputy Mayor for feedback.
- 5.2 **Final Report:** Based on feedback, the consultant will finalize the report. The final report will include:
- A summary of the evaluation process.
 - Detailed findings and assessments.
 - Recommendations for performance improvement and professional development.
 - Any specific action items or goals for the CAO.
- 5.3 **Presentation to Council:** The final report will be presented to the full Council in a closed session to maintain confidentiality. The presentation will include a discussion of the findings and recommendations.

6. Action Plan and Follow-Up

- 6.1 **Action Plan Development:** In a closed meeting of Council, the Deputy Mayor will facilitate a discussion to support the development of an action plan based on the recommendations in the report, to address any identified issues and to support the CAO's professional development.
- 6.2 **Implementation:** The action plan will be implemented with specific timelines and expectations. The Mayor and Deputy Mayor will oversee the implementation process and ensure that the CAO receives the necessary support.
- 6.3 **Follow-Up:** Regular follow-up or check-in meetings will be scheduled with the Mayor, Current Deputy Mayor, and CAO to review progress against the action plan and make any necessary adjustment. The Mayor will report to all of Council on these meetings in closed session updates.

The schedule for these meetings will be determined alongside the creation of the action plan as outlined in item 7.2. and will be held at least quarterly. The external consultant may be involved in follow-up evaluations if needed.

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7. Review and Improvement

- 7.1 **Process Review:** After the evaluation process is complete, the Mayor and Deputy Mayor will review the process and gather feedback from the CAO and other participants to identify any areas for improvement or additional expectations.
- 7.2 **Continuous Improvement:** Recommendations for improving future evaluations will be considered to enhance the effectiveness and efficiency of the evaluation process.

8. Documentation and Record-Keeping

- 8.1 **Records:** All documentation related to the evaluation, including the RFP, consultant proposals, reports, and action plans, will be placed in a sealed envelope, initialed by the Mayor / Deputy Mayor and placed in the CAO Personnel File.
- 8.2 **Access:** Documentation will be accessible only to authorized personnel involved in the evaluation process.

B. Formal Process for Addressing Grievances or Concerns by a Council Member

This process provides a structured approach for a Council Member to address grievances or concerns related to the Chief Administrative Officer (CAO) to ensure fairness, transparency, and constructive resolution, contributing to effective governance and administration.

1. Initial Steps

- 1.1 **Documentation:** Any concerns or grievances regarding the CAO's performance should be documented in writing by the concerned party. This documentation should include a clear description of the issue, any relevant evidence, and the desired outcome or resolution.
- 1.2 **Informal Resolution:** Before initiating a formal process, it is encouraged that the concerned party attempts to resolve the issue informally through direct communication with the CAO or with the assistance of the Mayor and/or Deputy Mayor. This step aims to address concerns in a timely and amicable manner.

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2. Formal Grievance Submission

- 2.1 **Submission:** If informal resolution is not successful or feasible, the concerned party should submit a formal grievance to the Mayor and/or Deputy Mayor. The submission shall include the written documentation outlined in Section 2.1.
- 2.2 **Acknowledgment:** The Mayor and/or Deputy Mayor will acknowledge receipt of the grievance within five business days and inform the concerned party of the next steps in the formal process.

3. Investigation and Review

- 3.1 **Formation of Review Committee:** The Mayor and Deputy Mayor will be responsible for investigating the grievance. Where a conflict of interest exists, or the Mayor and/or Deputy Mayor are directly involved in the grievance, up to two (2) Members of Council will be appointed to facilitate the investigation and shall be referred to as the Review Committee. The Committee shall be comprised of no more than three (3) members.
- 3.2 **Investigation:** The Review Committee will conduct a thorough and impartial investigation. This may involve reviewing documentation, interviewing relevant parties, and gathering additional information as needed. The CAO will be given an opportunity to respond to the concerns and provide their perspective.

Council may designate a Solicitor or other qualified individual at arms-length from the municipality to investigate.

- 3.3 **Confidentiality:** The investigation process will be conducted with the highest level of confidentiality to protect the privacy of all parties involved.

4. Resolution and Reporting

- 4.1 **Findings and Recommendations:** The Review Committee and/or third-party investigator will compile a report summarizing their findings and recommendations. The report will address the validity of the concerns raised, the CAO's performance in relation to the grievance, and any proposed actions or resolutions.
- 4.2 **Council Review:** The findings and recommendations of the Review Committee will be presented to all of Council during a closed session to ensure privacy and confidentiality. Council will review the report and decide on the appropriate course of action based on recommendations made within the report.

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- 4.3 **Action Plan:** Based on Council’s decision, an action plan will be developed to address the issues raised. This may include further training for the CAO, changes in management practices, or other measures to resolve the grievance.

5. Communication and Follow-Up

- 5.1 **Communication:** The Mayor will communicate the outcome of the grievance process to the concerned party and the CAO. This communication will include a summary of the findings, any actions taken, and any next steps.
- 5.2 **Follow-Up:** Council will monitor the implementation of the action plan and follow-up with the CAO to ensure that the issues have been addressed satisfactorily. A review meeting may be scheduled to assess the effectiveness of the resolution and make any necessary adjustments.

6. Appeals

- 6.1 **Appeal Process:** If the concerned party or the CAO is dissatisfied with the outcome of the grievance process, they may request a review of the decision. The appeal request should be submitted to the Mayor and Deputy Mayor within 10 business days of receiving the outcome. An appeal will be reviewed by an independent external mediator or arbitrator appointed by Council.

7. Documentation and Record-Keeping

- 7.1 **Records:** All documentation related to the grievance or concern and its resolution, including meeting notes, action plans, and correspondence, will be securely maintained in an envelope sealed and initialed by the Mayor / Deputy Mayor and filed by the City Clerk in the CAO’s personnel file.

C. Process for Addressing Conflict Between the CAO and Members of Council

This process provides a structured approach for the CAO to address conflicts with members of the Council, including when the Mayor is the source of the conflict, ensuring fair and constructive resolution.

1. Initial Attempt to Resolve Conflict

- 1.1 **Direct Communication:** The CAO is encouraged to first address any conflict or issue directly with the Council member involved. Open and respectful dialogue can often resolve misunderstandings or disagreements.

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2. Escalation to the Mayor or Deputy Mayor

2.1 When the Mayor is the Source of Conflict:

- **Document the Issue:** The CAO should document the nature of the conflict, including specific instances, communications, and any impacts on work.
- **Request a Meeting with the Deputy Mayor:** If direct resolution is not feasible or the conflict involves the Mayor, the CAO should formally request a meeting with the Deputy Mayor to discuss the issue. This request should be made in writing and include a brief overview of the conflict.

2.2 When the Conflict Involves Other Council Members:

- **Contact the Mayor:** The CAO should bring the issue to the Mayor, providing a detailed account of the conflict and its impact. The Mayor will then work with the CAO to address the situation.

3. Mediation and Resolution

3.1 **Meeting with the Deputy Mayor:** The Mayor / Deputy Mayor will arrange a meeting with the CAO to discuss the conflict. This meeting aims to understand the CAO's perspective, review the documented issue, and explore potential solutions.

3.2 **Facilitated Resolution:** If necessary, the Mayor and/or Deputy may facilitate a mediation session involving the CAO and the Council member in conflict to work towards a resolution.

3.3 **Develop Action Plan:** Based on the discussions and mediation, an action plan will be developed to address the conflict. This plan may include specific steps to improve communication, resolve disagreements, or adjust working relationships.

3.4 **Follow-Up:** If the conflict persists or new issues arise, further meetings may be scheduled to adjust the action plan or explore additional resolution strategies.

4. Documentation and Record-Keeping

4.1 **Record Keeping:** All documentation related to the conflict and its resolution, including meeting notes, action plans, and correspondence, will be securely maintained in an envelope sealed and initialed by the Mayor/Deputy Mayor and filed by the City Clerk in the CAO's personnel file.

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- 4.2 **Confidentiality:** The process will be conducted with confidentiality to protect the privacy of all parties involved.

Review:

This policy and all processes detailed within will be reviewed at least two times per term of Council to ensure effectiveness and relevance. Feedback from the CAO, Council members, and other parties relevant to the process will be considered in the review and evaluation of the policy.