



MANAGEMENT REPORT

Date: September 16, 2020
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Meeting Date: September 23, 2020

TO: Library Board
FROM: Kurt Heinrich, Chair, CRPD Committee
SUBJECT: Board Policy Rescissions

SUMMARY

This report seeks agreement from the Library Board on the rescission of several Board policies.

PURPOSE

This report is for decision.

RECOMMENDATIONS

THAT the Board approve the rescission of the following policies:

- Bottled Water in Library Facilities;
- Community Engagement Values Statement;
- Customer Service Statement;
- Posters and Newspapers;
- Records Management;
- Bed Bug;
- Technology & Public Service;
- In-Camera policy.

COMMITTEE DISCUSSIONS

Policy rescissions were discussed by the Community Relations, Planning and Development Committee; the Services, Finance and Human Resources Committee; and the Governance

Committee. Each committee sought clarification on how the topics in the policies recommended for rescission were addressed in administrative policies, other Board documents, or operations. Trustees commented on their support for the policy review process and the benefits of eliminating superseded policies.

BACKGROUND

Policies and their accompanying procedures are key documents in any organization. At VPL, they set out the principles we follow in delivering service to our patrons in alignment with the library's vision, mission and values.

In November 2018, staff presented a recommended approach for the Board Policy Review for discussion. The objective of the Board Policy Review is to deliver an updated set of policies that are clear, consistent, relevant and appropriate for Board governance.

The first component of the Board Policy Review was the development of a Policy Management Framework, which was approved in June 2020. The second component, currently underway, is the review of individual Board policies – identifying, prioritizing, and updating the current set of Board policies. The third component will be review of administrative policies.

DISCUSSION

In June and July 2020, each of the three Board Committees reviewed a recommended process for reviewing all Board policies, including a prioritization of policies and timing of review. The report also identified several Board policies recommended for rescission. Staff deemed that these policies are no longer necessary as they are covered in other policies or procedures, or are fully embedded in VPL's ongoing practices. The Governance Committee indicated that policies recommended for rescission should be brought forward as a group. The table below lists all the Board policies recommended for rescission:

Policies for Rescission

Policy Name	Overseen by Board Committee
Bottled Water in Library Facilities	CRPD
Community Engagement Values Statement	CRPD
Customer Service Statement	CRPD
Posters and Newspapers	CRPD
Records Management	CRPD
Bed Bug	SFHR
Technology & Public Service	SFHR
In-Camera Policy at the Vancouver Public Library	Governance

The policies recommended for rescission are grouped by Committee and provided in Appendices A, B and C respectively.

Rationale for Rescission

Policies Overseen by the CRPD Committee

Bottled Water in Library Facilities Policy

- When implemented in 2009, this policy explicitly outlined the library's alignment with the City of Vancouver in adopting Metro Vancouver's Tap Water Declaration and signalled an important shift in library procurement practices. Since then, providing tap water to staff and patrons in the place of bottled water has become a common library practice and more broadly, VPL's Procurement Policy, last updated in 2018, outlines requirements for sustainable and ethical procurement. This policy is now obsolete.

Community Engagement Values Statement

- Originally adopted in 2010, this policy was developed to signal a shift within VPL towards a more intentional community-led approach in developing and delivering services to Vancouver communities. This policy reflected direction stemming from the VPL-led Working Together project (2004 to 2008) focused on supporting Canadian public libraries to adopt community development approaches to work with socially excluded communities. Since then, VPL has continued to be a leader in developing a community-led mindset and community engagement practices, and this policy is now obsolete.

Customer Service Statement

- This longstanding Board policy was originally implemented in 1996, and is now redundant. In 2019, as part of the strategic initiative "Customer Service Training Refresh", the Patron-Centred Service Administrative Policy and associated Patron-Centred Service Guidelines with Best Practices & Illustrative Examples were created, and the much older Customer Service Statement policy is no longer required.

Posters and Newspapers

- This policy, originally developed in 1989, is administrative in nature and is out of date vis-à-vis the Public Space policy. We will consider some of the elements of this policy when reviewing and updating the Public Space policy, which is a high priority policy for review.

Records Management Policy

- Developed in 2007, this policy is out of date, and has been replaced by VPL's 2019 Records Management Administrative policy which is aligned with the City of

Vancouver's Corporate Records & Information Management Policy. The Records Management Board Policy should be rescinded to avoid overlap with the Administrative Policy.

Policies Overseen by the SFHR Committee

Bed Bug Policy

- This 2012 policy is operational, and points to content covered in VPL's Occupational Health & Safety manual, which provides a protocol and detailed procedures to follow when bed bugs are found in the Library environment. As the information exists in this staff manual, the policy is not needed.

Technology & Public Service

- This policy, implemented in 2010, provides general statements on the role of technology in a public library and on VPL's commitments in providing service to patrons through technology. The importance of technology has grown, evolved and become increasingly critical in all aspects of life, and the statements within this policy have become embedded in current library practice. This general policy is now outdated and no longer required.

Policy Overseen by the Governance Committee

In-Camera Policy

- This report was approved as a policy in 1994. Since then, the Board's in-camera practices have been incorporated into the Board Procedure policy, which has been reviewed and updated multiple times over the past 20+ years. The In-Camera Policy is obsolete.

FINANCIAL IMPLICATIONS

The review of Board policies will be conducted within the scope of regular operations.

FINAL REMARKS

A clear, consistent and relevant set of Board policies is critical for the effective governance and operations of VPL.

APPENDIX A
Board Policies Recommended for Rescission
Community Relations, Planning & Development Committee



Vancouver Public Library

BOARD POLICY

Subject: Bottled Water in Library Facilities

Category: Board Policy

Policy Code: BD-L-2009

The Board moved that the Vancouver Public Library adopt Metro Vancouver's tap Water Declaration and immediately eliminate the purchase of single serving bottled water for staff and delegation consumption and substitute with tap water options.

It was also moved that staff incorporate access to municipal drinking water into designs for new library facilities and those scheduled for renovation.

APPROVED BY LIBRARY BOARD:

May 27, 2009



BOARD POLICY

Subject: Community Engagement Values Statement

Category: Board Policy

Policy Code: BD-L-2010

The Vancouver Public Library expresses and embodies its entire community's strengths, interests, and needs. In this regard, VPL will involve its diverse communities in service planning and delivery; recognizing community members know best what their needs and interests are.

VPL believes that meaningful and relevant service planning and delivery are best achieved through collaboration and shared decision making with community members. Sincere collaboration requires library staff to be open and accessible to all community members.

To do this, library staff strives to engage community members, both library users and non-users, in spaces where the community members feel most comfortable.

Accordingly, VPL staff will actively:

- Involve community members in discussions about their unique assets and specific needs, and how the library can support them.
- Include information on community engagement strategies in all project proposals.
- Budget sufficient funds, time, and staff for community engagement in service planning activities.
- Share decision making, outcomes, and evaluation with community members using effective and meaningful approaches.
- Document and report on how community members were involved in service decisions.

Communities are diverse and ever-changing. Engagement techniques and strategies require ongoing efforts, review, and evaluation.

APPROVED BY LIBRARY BOARD:

June 23, 2010

Related Policies:

This statement should be reviewed in tandem with the <i>Diversity and Inclusion Statement</i> and the <i>Customer Service Statement</i> .



BOARD POLICY

Subject: Customer Service Statement	
Category: Board Policy	Policy Code: BD-L-2010

- The Library is a community focused institution.
- Courteous, responsive service is the responsibility of every employee.
- Information provided is prompt, accurate, accessible and barrier free.
- Knowledge of our customers' needs and expectations is vital to ensure that we offer superior service.
- Staff respect and value customers so they are listened to and understood.
- Management and training systems are developed to enable staff to provide the kind of service that reflects the library's customer service philosophy.
- Library systems, services and policies are developed and constantly reviewed to ensure they are customer friendly.
- Library and City employees are recognized as customers - the way employees are treated by each other will be reflected in how they treat other customers.
- Public comment forms are available at all locations for feedback from our users.
- Forms are answered by unit supervisors or Directors Group members. Every effort is made to answer enquiries promptly.

APPROVED BY ADMINISTRATION COMMITTEE:	January 23, 1996
REVISED:	January 5, 2006
APPROVED BY LIBRARY BOARD (for inclusion to Board Policies:	June 23, 2010

Related Policies:	This statement should be reviewed together with the <i>Diversity and Inclusion Statement</i> and the <i>Community Engagement Values Statement</i>
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BOARD POLICY

SUBJECT: Posters and Newspapers	
CATEGORY: Facilities	POLICY CODE:

Objective

This policy outlines the terms and conditions for posting and/or distributing third-party content in the form of posters and newspapers within Library premises.

Scope

This policy applies to all VPL staff.

Policy Statements

1. Statement of Principle

Vancouver Public Library is committed to the distribution and availability of the widest range of material for the use of library patrons. This policy is in conformance with the Canadian Library Association Intellectual Freedom Statement and does not imply the approval or endorsement of any of the material distributed. The library provides access to information about community activities and events by displaying material in a variety of formats (e.g. posters, brochures and community newspapers and magazines). Priority is given to displaying or distributing material from the Vancouver Public Library and the Library Foundation and Friends.

2. Statement of Limitation

Limiting the distribution of material will be based on practical issues of space and time and not on the philosophy or content of the material, other than outlined in this policy. Procedures are in place and will be reviewed annually which seek to implement the Statement of Principle within the resources available. These procedures are outlined in the "*Notice to Patrons Regarding Poster/Flyer Distribution Service*" below.

3. Material Unacceptable for Posting or Distribution

1. Advertising or endorsements of private or corporate business whose main purpose is profit. Existence of a personal advertising bulletin board is at the discretion of the individual Branch/Division and is subject to space limitations and staff time.
2. Material so large in size as to exclude posting of other items.
3. Material which omits essential information such as date, time, place, or fee.

4. Materials which would violate the B.C. Human Rights Act and other legislation.
5. Political posters for individual political parties or candidates.

Policy Administration Roles and Responsibilities

Director, Corporate and Facilities	Oversees and recommends updates to the policy as required.
CRPD Committee	Reviews policy as required and recommends changes to the Board
Board	Approves policy and revisions to the policy
Chief Librarian	Administers the policy

Approval History

ISSUED BY:	Library Board	APPROVED BY:	Library Board	DATE:	1989/03/22	
REVISED BY:	Library Board	APPROVED BY:	Library Board	DATE:	2005/08/24	
REVISED BY:	Library Board	APPROVED BY:	Library Board	DATE:	2008/08/27	

DATE OF NEXT REVIEW		REVIEW CYCLE	5 Years
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Related Policies

- Endorsement Policy
- Research Participation Policy
- Petitions, In-Person Solicitation of Donations and leafleting

Appendix

Vancouver Public Library Procedures Notice to Patrons Regarding Poster/Flyer Distribution Service

1. The Vancouver Public Library will distribute posters, flyers, and brochures for non-profit organizations providing the material is acceptable for posting or distribution (see policy) and providing the event is held in Vancouver or the newspaper is produced in Vancouver.
2. All posters and materials intended for display can be dropped off at the Level 2 Information Desk.
3. Individuals/Organizations wishing to circulate posters/handouts:
 - a. There are 22 (21 branches and Central); we will accept 22 copies of posters.
 - b. Posters intended for display at the Central Library can be dropped off at the appropriate Division.
 - c. Posters should not be rolled.
 - d. Multiple copies of handouts must be packaged into 22 individual parcels of 25 each for branches and 50 for Central; extras will be discarded.
 - e. Posters/flyers must be bundled before they are delivered to the library; materials cannot be bundled at the information desk.
 - f. The Library does not supply materials (elastics, paperclips, etc.) to prepare posters/flyers for distribution.
4. Posters, handouts, etc. which advertise the date of an event must be deposited *no less than two weeks* prior to the date of the advertised event.
5. We do not guarantee materials will be posted in the Branches. Given space limitations in the Branches, materials are posted at the discretion of the Branch Head.
6. Materials accepted for possible display become the property of the Library. The Library is not responsible for the return of brochures or display materials left on its premises.
7. Newspapers: Bring one copy to the Level 2 Information Desk. You will be contacted regarding authorization to have this material distributed.
8. If you have questions regarding the distribution service, please contact Library Information at 604-331-3603.

Procedures revised June 2013



Subject: Records Management	
Category: Board Policy	Policy Code: BD-L-2007

PURPOSE

This policy establishes the authority and responsibilities necessary for the management and control of the records of the Vancouver Public Library so that they are organized, secure, retrievable, and legible, maintained under appropriate conditions, retained according to statutory requirements, and managed throughout their life-cycle [life span].

SCOPE

This policy applies to every department, working group, committee, division, section, commission, task force, and advisory body established by or under the authority of the Vancouver Public Library Board whose records are subject to the control of the Board, including the Board and its committees.

This policy does not apply to the Library's print and electronic public collections.

POLICY STATEMENTS

1. That the Vancouver Public Library adopt the City of Vancouver's Corporate Records and Information Management Policy (AG-002-01) as the Library's Records and Information Management policy.
2. That the Library adopt the VanRIMS (Vancouver Records and Information Management Standard) as the records classification, document management, and Record Schedule standard for the Vancouver Public Library.
3. That the Director of Systems is the Library's Records Officer who is responsible for ensuring:
 - 3.1. Preparation and submission of Record Schedules to the Corporate Records Committee for all records acquired, created, or held;
 - 3.2. Management of records, including digital records, according to approved Record Schedules and this policy;
 - 3.3. Implementation, use, and currency of VanRIMS as it applies to the records of their departments or bodies;
 - 3.4. Designation of an Office of Primary Responsibility for every record which the body retains as the authentic, master record;
 - 3.5. Implementation and maintenance of other procedures and standards established under this policy;
 - 3.6. Establishment and maintenance of a departmental network of records coordinators, custodians, and other stakeholders; Training of staff in the City's records management systems and in best records-keeping practices; and

3.7. Liaison and consultation with the Corporate Records and Information Management Program, City Clerk's Department.

- 4 Library departments, bodies, and all employees are responsible for managing records in their control and custody and ensuring these records are described according to the appropriate VanRIMS classification.

APPROVED BY LIBRARY BOARD:

May 30, 2007

References:

City Corporate Records and Information Management Policy (AG-002-01)
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APPENDIX B
Board Policies Recommended for Rescission
Services, Finance and Human Resources Committee



BOARD POLICY

Subject: Bed bug

Category: Board Policy

Policy Code: BD-L-2012

Vancouver Public Library staff will follow the Bed bug Guideline in the Occupational Health & Safety Manual (appendix T) if bed bugs are noticed by staff or the public. This guideline was developed in consultation with the Vancouver Coastal Health Authority. The guideline includes a visual inspection by staff of Library materials, furniture or computer equipment when the presence of bedbugs is suspected. If the presence of bed bugs is confirmed, it also includes a treatment plan for cleaning or disposal of the material, furniture or computer equipment. Vancouver Public Library's Maintenance Department will keep a log of all bed bug incidents.

Vancouver Public Library staff will continue to attend "Crew Talks" (staff meeting presentations) concerning the on-going treatment of bed bugs.

APPROVED BY LIBRARY BOARD:

April 25, 2012



Subject: Technology and Public Service	
Category: Board Policy	Policy Code: BD-L-2015

Statement on Technology and Public Service

Technology plays a unique role in the public library as it provides the means to access library services and content, while it is itself is a key service to the public. Technology provides the backbone for all library operations while at the same time it makes electronic resources, online community engagement and community building possible. It allows us to serve people in the ways that they want to be served, in a secure and lawful environment.

VPL is committed to service innovation through the creative exploration of new technologies:

- We strive to remove barriers to our technology and services.
- We provide access to technology which is essential for full participation in society for those without other means of access.
- We provide guidance and training in technology use to help people find information.
- We consider the needs of all who visit our libraries, whether online or in person.
- We cultivate and support online communities that enrich library services.
- We encourage people to engage with us online as well as in person, taking guidance from requests and suggestions.

APPROVED BY LIBRARY BOARD:	September 22, 2010
REVISED:	October 28, 2015

APPENDIX C
Board Policies Recommended for Rescission
Governance Committee



BOARD POLICY

Subject: In-Camera Policy at Vancouver Public Library
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Category: Board Policy

Policy Code: BD-L-1994

Recommendation:

That the Board approve the revised In-Camera policy dated Nov. 23rd, 1993; and that it be incorporated into the official Board procedure policy.

Background:

Currently the Board holds both open and In-Camera Board and Board Committee meetings. The Board procedure policy only details how In-Camera agendas come about and what matters shall be discussed In-Camera (sections "N" and "O", respectively). It does not address the relationship between open and In-Camera meetings, e.g.: the disclosing of In-Camera meeting items on open meeting agendas, or the bringing forward of de-classified or concluded In-Camera meeting items at open meetings, for the record. It also doesn't address the issue of public access to In-Camera meeting minutes. Section V.1 of *Guidelines on the Relationship Between the City of Vancouver and the Vancouver Public Library Board* discusses how In-Camera minutes of the Board are to be handled by the City Clerk.

Current Board practice is to indicate on open meeting agendas when the Board goes into an In-Camera meeting, and to note same in the minutes of the open meeting. Items on In-Camera meeting agendas are not followed up, reported back to, or reported out, at open meetings. Minutes of In-Camera meetings are only circulated to the Board, Administration and the City Clerk. They become part of the official record but there is no written policy or procedures in place to deal with requests from the public (including non-Administration Library staff) to access In-Camera meeting minutes. Currently, any such requests would be referred to the Director.

In 1982, the City approved Bylaw No. 5591, *The Freedom of Information and Privacy Bylaw*. It states in the Bylaw that the minutes and reports prepared for City Council In-Camera meetings are not required to be released by the City until one year has elapsed since the meeting. The Bylaw also provides for a number of general circumstances under which the City is not required to release information.

City Council's practice, as of January 1993, was to determine at the conclusion of each In-Camera Council meeting, whether there were any items or decisions which no longer required to be classified as In-Camera and as such, could be publicly announced. This was done at the regular Council meeting following. The City did not disclose items to be discussed at In-Camera meetings, but it did give notice of the meeting in the regular Council agenda. It was also standard practice for the Mayor to publicly inquire of the City Clerk whether there were In-Camera matters to be discussed on that day.

On February 16, 1993, City Council considered a motion calling for changes in procedure in how In-Camera items and decisions were to be publicly accessed. The City Clerk had prepared an Administrative Report for Council in response to this motion, which included suggestions for amending the then-current procedure. While the motion was defeated, a subsequent motion to approve amending the procedure to that presented in the Report was carried, and henceforth is in effect. Three examples of how this has affected regular Council meeting minutes are attached.

The *B.C. Freedom of Information and Protection of Privacy Act* (Bill 50) was passed in the Legislature in June 1992. It represents the first part of a two-stage process that will ultimately lead to the Act covering all public bodies in British Columbia. At the moment, it only applies to Provincial public bodies; the second stage will extend coverage to the broad public sector, including municipalities, boards (including library boards) and self-governing Professional Bodies. The Province is currently involved in a consultation process regarding the "enhanced" Act. It is expected that amendments to the Act will be made, coming into effect November 1994.

The current Bill 50 does not address the In-Camera issue directly, the closest it comes is in discussing the issue of disclosing Cabinet confidences (Section 12). It is commonly acknowledged that if the Act is extended to cover local public bodies, then a provision similar to the Cabinet confidences exception is needed in the legislation to cover In-Camera deliberations. The Union of B.C. Municipalities (UBCM) has been in the forefront in developing recommendations for new In-Camera provisions. Attached to this report is a copy of a brief prepared by the UBCM on In-Camera meetings. This brief came before City Council for review and comment in April 1993, and a motion approving the brief's recommendations with topic amendments was carried. The brief has been submitted to the B.C. Minister of Municipal Affairs for consideration. The City is not expected to take further action until the amended Act comes into effect.

Discussion:

At present there are four options that the Board can pursue:

- (1) Do nothing until the amended Bill 50 comes into effect, then review the In-Camera issue and revise the Library's procedures to reflect the legislation.
- (2) Incorporate the City's amended procedure into its own and review the In-Camera issue when the amended Bill 50 comes into effect.
- (3) Incorporate the City's amended procedure into its own, but adapt it to reflect the Library as a separate employer and review the In-Camera issue when the amended Bill 50 comes into effect.
- (4) Review the current situation, revise our own procedure on the In-Camera issue and review that when the amended Bill 50 comes into effect.

Proposed Procedure (to be incorporated between Sections "O" and "P" of The Board Procedure Policy):

- (1) That an "In-Camera Meeting" section be established for all open Board and Board Committee meeting agendas and that a generic listing of all items on the In-Camera agenda of both meeting types be included (Example 1 shows City practice).
- (2) The Board, as the last item of business at each In-Camera Board and Board Committee meeting, shall consider, with the advice of staff, which of the items considered at the meeting should be made public, as being no longer in the public interest to exclude from public purview.
- (3) A new section "Items Arising from In-Camera" be added to the open Board and Board Committee meeting agenda under which the Chair, following the In-Camera meeting, would announce those items previously agreed to (Example 2 shows City practice).
- (4) Should the open Board and Board Committee meeting not reconvene after the In-Camera meeting, the Chair would include the announcement of the relevant items at the next open meeting (Example 3 shows City practice).
- (5) Every six months, the Director's office would make available a list of those items considered In-Camera during the previous six months that have been concluded or de-classified.

RECOMMENDATIONS OF THE JOINT UBCM/MOA WORKING GROUP ON IN-CAMERA MEETINGS
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The Working Group outlined a number of changes that it would recommend be made to the *Municipal Act* and the *Vancouver Charter*. These suggestions have been made with the objectives of:

- reviewing both the legislated rules for In-Camera meetings and the related practices in various communities;
- promoting openness and accountability in local government decision-making;
- preserving local options in how the business of councils and regional boards is carried on; while
- attempting to satisfy the provincial political intent to make as much government information available to the public as is reasonably possible.

Suggested Changes:

Definition of a Meeting

A "meeting" refers to a gathering of a number of members of a local authority (definition should be clarified in legislation) sufficient to constitute a quorum of such members where the purpose of such gathering is to receive, consider or act upon any advice, recommendation, proposal or decision. To be a "meeting" under the legislation, the gathering must be constituted pursuant to all applicable provisions of the legislation and bylaws of the local government. When a meeting results in a decision or direction, a record will be created which will be acted on by the Mayor or other elected officials, a committee, or staff.

Application of Definition

The definition of a meeting and the respective rules of conduct will apply to all meetings of a municipal council, regional board, standing committee, select committee, committee of the whole, committees or sub-committees created by bylaw or resolution or local committees named in legislation (e.g. Board of Variance, Advisory Planning Committee).

Definition of In-Camera Meeting and Special Meeting

Sec. 219 of the *Municipal Act* currently defines a Special Meeting of council as a meeting other than a statutory, regular or adjourned meeting. Since the public cannot be excluded from a regular council meeting (sec. 220), then by inference, an In-Camera meeting is a Special Meeting. The *Vancouver Charter* currently allows the City the discretion to decide all aspects of meetings of its decision-making bodies, and does not define the various kinds of meetings.

The Working Group suggests that the legislation separately define an In-Camera Meeting as one from which it is in the public interest to exclude persons other than members and officers (except the Clerk) or persons other than members (except the Clerk), following a vote of council. We suggest that the legislation be amended to ensure that the statutory Clerk (or designate) is always present at a meeting to ensure that an authorized record of decisions is prepared for certification purposes.

The legislation should require that procedure bylaws specify In-Camera Meeting procedures. Such procedures would include situations where In-Camera Meetings are a scheduled part of a regular council meeting and also where an In-Camera Meeting is unscheduled, or a Special In-Camera Meeting.

Council (or other local board or committee) will vote to close a meeting according to the criteria below, which will be the test, applied to determine "the public interest" in excluding the public from a meeting.

A Special Meeting will be defined as an extraordinary or unscheduled meeting. In-Camera meetings will normally be scheduled together with regular council meetings. When necessary, there may also be Special In-Camera Meetings, notice of which should be given in the same manner as for other Special Meetings.

Notice Provisions

The notice provisions for a Special Meeting will remain as they appear in sec. 219(1) of the *Municipal Act* (i.e. notice must be posted 24 hours prior to the meeting). Currently the notice must include only the day, hour and place of the meeting. The Working Group recommends that the agenda for the meeting also be included in the notice and that the legislation (sec. 219(1)) be changed to require the Mayor or Clerk to sign only the original of the notice and not every copy. Similar rules should be included in the *Vancouver Charter*.

The notice provisions for an In-Camera Meeting should form part of the regular notice and agenda for council meetings. It is assumed that the agenda items for In-Camera Meetings will be less descriptive than they would be for Regular Meeting items. The legislation should also specify the requirement to post a notice of a Regular Meeting. Some communities regularly go further in publishing the notice and agenda in local papers or forwarding the council package to a local library for public perusal several days prior to the meeting. Some communities in Ontario and in the United States publish the upcoming meeting notice and agenda on their electronic bulletin boards, accessible by the public via computer modem.

Topics Which May Be Considered In-Camera

A meeting or part of a meeting may be closed to the public if the subject matter being considered relates to any of the following:

- the general security of the municipality, regional district, or other local authority;
- a proposed or pending lease or lease renewal, acquisition, or disposal of real property;
- a proposed expropriation;
- a proposed boundary change or annexation of unorganized territory;
- labour relations or contract negotiations;
- matters that discussion of which could jeopardize the economic or financial interest of the municipality, regional district, or local authority;
- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality, regional district, or local authority;
- legal opinions;
- any matters so requested by federal or provincial governments of their agencies, or another local government or other local authority;
- any matter at the written request of other parties, where in their opinion, confidentiality prevents public discussion;
- a matter in respect of which a council, board, committee or other local authority has authorized a meeting to be closed under an Act of the Legislature or an Act of Parliament.

Topics Which Must be Considered In-Camera

A meeting or part of a meeting must be closed to the public if the subject matter relates to:

- personal matters about an identifiable individual, including municipal or regional district employees and also including council or board appointments, if discussion would involve matters that could be considered an invasion of personal privacy (e.g. taxi licence, appeal, law enforcement matters);
- the consideration of a request under the *Freedom of Information and Protection of Privacy Act* prior to final disposition of the request, if the council, board, or other local authority is designated as head of the institution for the purposes of that Act;
- a matter that the head of a local authority is not permitted to disclose under the *Freedom of Information and Protection of Privacy Act* (personal information, third party business information).

Process for Closing Meetings

Councils/Boards should be required to state by resolution the fact that a meeting or portion of a meeting is to be closed and the general nature of the matter(s) to be discussed, in as specific a manner as possible but so as not to jeopardize the reason for going In-Camera.

Release of In-Camera Minutes

At the conclusion of each In-Camera Meeting, the members should consider a resolution to make public any items or decisions which no longer need to be classified as "In-Camera" and may therefore be announced publicly at the regular council meeting following, or at a subsequent regular council meeting, once the business of the item is concluded (e.g. the papers for a land transaction have been filed with Land Titles). For In-Camera items that council determine are not appropriate to release, council should state its reasons for not releasing the information. It should be made clear if an item can't be released at that time, whether it will eventually be released, or that the item will never be released because of the subject matter (i.e. personal information). These reasons would follow the exemptions provided in the *Freedom of Information and Protection of Privacy Act* (e.g. draft policy, personal information, legal advice, law enforcement, economic or financial interests, third party information, intergovernmental, etc.). Stating such reasons publicly might be enough to dissuade some people from appealing to the Commissioner for the information not released.

It is accepted practice in communities that currently de-classify In-Camera items (e.g. Vancouver, Richmond) that minutes of In-Camera items that are ratified by council indicate briefly only the decision that was made. This decision constitutes the record of the item, together with the voting record, if there was a recorded vote.

Where it is not deemed appropriate to release an In-Camera minute, the recommendation is to have provisions similar to those provided for "Cabinet Confidences" (sec.12) in the *Freedom of Information and Protection of Privacy Act*, which stipulates that records in existence for 15 or more years may be disclosed, and that background papers may be released after 5 or more years have passed.

Release of In-Camera Voting Records and Supporting Materials

The position of the Working Group is that if the minute of an In-Camera item is released to the public at a regular meeting of council, the record includes the minute as well as the voting record, if one exists. If it is deemed inappropriate to release a minute on an issue for stated reasons, then the voting record will also not be released for the same reasons. The group does not advocate making any changes to the legislative provisions regarding voting procedures.

Staff reports that support an In-Camera decision usually contain policy advice and are therefore not subject to release. Such reports rarely contain strictly factual information, although if such was the case, consideration could be given to their release. Where the council/board decision results in bylaw or resolution which is passed in an open meeting, the release of staff reports as part of the record may have to be considered.

The Working Group suggests that the exemptions provided by the information and privacy legislation respecting policy advice and the deliberations of government executives (i.e. Cabinet) should be similarly applied to the In-Camera deliberations of local government executive bodies. Given that some background material to In-Camera decisions may eventually become releasable, local government staff and consultants should consider altering the way that reports are written so as to make it possible to release at least the portions of reports which do not contain policy advice.

New Rules in Legislation

The policies and practices associated with the meetings of local government bodies is fundamental to their governance. If the intention is to ensure a more consistent degree of openness and accountability across local governments in B.C., then it is important that the rules of the game be written into the relevant legislation, in this case, the *Municipal Act* and the *Vancouver Charter*. In this way, both the local governments and the public will have easy access to those rules. It would not be desirable or acceptable to local government to have the rules written into regulations which are subject to change behind the closed doors of Cabinet without open consultation with either local government or the public. Legislative changes, however, are subject to a more open process of review and scrutiny. The certainty is particularly important, given the significance that such practices have for the smooth operation of local government decision-making processes and for the public understanding of "the rules of the game".

Implementation Timeframe

The Working Group recommends that the implementation of the new In-Camera meeting provisions coincide with the coming into force of the information and privacy legislation for local government. The province is currently proposing that this date be sometime in October, 1994. This time will be necessary for local governments to redraft their procedure bylaws in accordance with the new legislation.

Conclusions:

The Working Group's suggested changes meet the objectives of promoting openness and accountability in local government decision-making. The changes balance openness with the need to protect confidentiality information in certain situations. In its recommendations, the Working Group was careful not to jeopardize the ability of local governments to conduct their business in an effective manner and to reach decisions based on frank and honest interplay among council/board members and staff. These recommendations also preserve many of the choices that local governments feel they should have in how the business of each community is carried out in meeting local needs and standards.

APPROVED BY LIBRARY BOARD:		January 1994
References:	<ul style="list-style-type: none"> • Guidelines on the Relationship Between the City of Vancouver and the Vancouver Public Library Board • City of Vancouver Bylaw No. 5591, The Freedom of Information and Privacy Bylaw. • B.C. Freedom of Information and Protection of Privacy Act (Bill 50) • Municipal Act • Vancouver Charter 	
Appendices:	City of Vancouver practise: <ul style="list-style-type: none"> • Example 1 • Example 2 • Example 3 	

APPENDIX

EXAMPLE 1:

CITY OF VANCOUVER

REGULAR COUNCIL MEETING

A Regular Meeting of the Council of the City of Vancouver was held on Tuesday, April 6, 1993, in the Council Chamber, commencing at approximately 2:00 p.m.

PRESENT: Mayor Campbell
Councillors Bellamy, Chan, Davies, Eriksen,
Kennedy, Owen, Price, Puil and
Wilson

ABSENT: Councillor Ranken (Leave of Absence)

CLERK TO THE COUNCIL: M. Kinsella

PRAYER

The proceedings in the Council Chamber were opened with prayer read by the City Clerk.

ACKNOWLEDGEMENT

Council acknowledged the presence in the Council Chamber of Exchange Students from Martinique and students from Kitsilano and Churchill Secondary Schools, with volunteer parent Mr. John Williams.

"IN-CAMERA" MEETING

The Council was advised there were matters to be considered "In-Camera" later this day, including:

- property acquisition for road purposes
- legal matter
- civic award

EXAMPLE 2:

Regular Council, April 6, 1993 12

CIVIC RECOGNITION

Mayor Campbell gave special recognition to guests who were present in the Chamber to witness the signing of a lease between the City and the HUGS Society for the Glen Brae property. The Mayor noted that Glen Brae is a heritage residence in Shaughnessy which was gifted to the City by its late owner, Mrs Wlosinski. Through the efforts of the City's consultant, Mr. Jim Moodie, the City staff, an appropriate use for the property was found. The HUGS Society intend to establish North America's first free standing children's hospice at this location, with the support of the Canucks Foundation and the Vancouver Sun. It will be known as "Canuck Place".

The Mayor expressed appreciation, on behalf of Council and the community, to Mrs. Gisela Mlekuz, sister of the late Mrs. Wlosinski, for the family's generosity in donating Glen Brae to the City.

Mayor Campbell and Mr. John Lambie of the HUGS Society then signed the lease for Glen Brae.

* * * * *

Council recessed at 4:15 pm, and following an "In-Camera" meeting in the Mayor's Office, reconvened at 4:40 pm

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Items Arising from "In-Camera"

Mayor Campbell advised that at the "In-Camera" Council meeting held earlier this day, Council authorized the director of Housing & Properties to proceed with the acquisition of land for road purposes at Knight and Kingsway.

EXAMPLE 3:

CITY OF VANCOUVER
REGULAR COUNCIL MEETING

A Regular Meeting of the Council of the City of Vancouver was held on Tuesday, April 27th, 1993, in the Council Chamber, commencing at approximately 2:00 p.m.

PRESENT: Mayor Campbell,
Councillors Bellamy, Chan, Davies, Eriksen,
Kennedy, Owen, Price, Puil,
Rankin and Wilson

CLERK TO THE COUNCIL: M. Kinsella

PRAYER

The proceedings in the Council Chamber were opened with prayer read by City Clerk.

RECOGNITION

Council observed a minute of silence to remember those workers killed or injured at work.

ITEMS ARISING FROM IN-CAMERA

Mayor Campbell advised that the following items were discussed at the April 20, 1993, In-Camera meeting of Council:

- (1) Property Acquisition for Left Turn Bays at Knight and Kingsway, 3848 Knight Street;
- (2) Acquisition of Site for Coast Foundation – Hydrece House;
- (3) 1800 Victoria Diversion (Council) approved the sale of the site for the development of a multiple level care facility).