

Terms of Reference

Name: Victoria Manor Committee of Management

Date Established by Council: July 13, 2010
(Terms of Reference revised December 11, 2018)

Mission:

The Committee is responsible for governance oversight of Victoria Manor operations in accordance with the *Long-Term Care Homes Act, 2007* and regulations there under, and as may be delegated by Council and defined in these terms of reference.

Roles and Responsibilities:

It is the responsibility of all appointed members to comply with:

- the City Code of Conduct for Council Members
- the City Procedural By-law
- Other applicable City by-laws and policies
- Municipal Act
- Municipal Freedom of Information and Protection of Privacy Act
- Municipal Conflict of Interest Act

No individual member or the Committee as a whole has the authority to make direct representations of the City to Federal or Provincial Governments.

Members shall abide by the rules outlined within the Municipal Conflict of Interest Act and shall disclose any pecuniary interest to the Secretary and absent himself or herself from meetings for the duration of the discussion and voting (if any) with respect to that matter.

The Committee will abide by any terms and conditions which may be set out by the City's Council, CAO, City Clerk, City Solicitor, Auditor and/or Insurer for any activities relating to Committee business in keeping with the Committee's Terms of Reference and established Policies.

Activities:

The following represent the general activities of the Committee:

- a) Fulfill all obligations of a Committee of Management as defined and required under the *Long-Term Care Homes Act, 2007* (LTCHA) and regulations thereunder, and any other applicable legislation;
- b) each member will fulfill all obligations as defined and required under the LTCHA of individual Committee members;
- c) monitors the delivery of programs and services to residents of Victoria Manor by periodic review of performance information;
- d) ensures evaluation of the quality of program and service delivery;
- e) prepares a projected operating and capital budget for the succeeding year, for Council approval during the budget process;
- f) monitors financial performance, and decides upon and directs such changes as it deems necessary to achieve efficiencies in the operation of Victoria Manor in order to comply with the Council-approved budget; reports to Council on an as-needed basis on such decisions and outcomes;
- g) decides upon and directs such changes as are needed to maintain and improve resident and family services, taking into account: statutory requirements; the needs of residents and family members, employees, volunteers, and the community; and implications for the Council-approved operating budget; reports on an as-needed basis to Council on such decisions and outcomes;
- h) monitors progress on capital projects;
- i) implements such directions as may be delegated to it by Council in relation to Victoria Manor.

The Committee may make recommendations to Council on the following matters, for which Council retains the decision-making role:

- a) the annual operating budget, and projects for the annual capital budget that would require municipal financial support in whole or in part;

- b) closure of capital projects funded in whole or in part with municipal financial support, and disposition of surpluses and deficits for such projects;
- c) re-development of Victoria Manor under Ontario's Enhanced Long-Term Care Homes Renewal Strategy or successor programs;
- d) ratification of collective agreements between the City and the Canadian Union of Public Employees Local 1167, and between the City and the Ontario Nurses Association;
- e) any matters about which recommendations may be made as a result of an operational review of Victoria Manor; and
- f) any other matters that, by reasonable interpretation of Council by-laws, resolutions and policies, are determined to be within Council's decision-making role.

Composition:

The Committee of Management shall be comprised of three (3) members, consisting of solely Council representatives. Committee members will be appointed by Council in accordance with established policy.

Appointment of Officers:

The Committee shall, at its first meeting in each year, elect from its membership a Chair, and Vice-Chair. It is acknowledged that there are no per diems for any Committee positions and it is acknowledged that none of the above positions shall be paid for their services. All Committee members are considered volunteer positions.

Term of Appointment:

Members will be appointed for a term of four years with the term expiring at the full term of Council.

Resources:

The Human Services Department will provide support in the form of advice, day-to-day liaison with the City, updates on program and promotional ideas and initial assistance in their implementation to the degree resources are available. The liaison department will also assist in the preparation and submission of budget

recommendations/grant submissions, if needed and attend meetings of the Committee.

A member of staff shall be designated as Recording Secretary by the liaison department. The Recording Secretary shall prepare and publish agendas; attend all formal business Committee Meetings for the purpose of taking Minutes; and prepare and publish minutes in an accessible format acceptable to the City Clerk's Office.

The Recording Secretary shall ensure that a current Terms of Reference for the Committee has been provided to the City Clerk's Office and is posted on the City website.

Timing of Meetings:

Meetings will be held on a set day and time as may be determined by the Committee or at the call of the Chair.

Location of Meetings:

The location of the meetings will be set by the Committee and must be held in an accessible City facility.

Meetings:

The Committee shall hold a minimum of six (6) meetings in each calendar year. The Chair, through the liaison department, shall cause notice of the meetings, including the agenda for the meetings, to be provided to members of the Committee and posted to the City website a minimum of three (3) business days prior to the date of each meeting through the Recording Secretary. Quorum for meetings shall consist of a majority of the members of the Committee. No meeting shall proceed without quorum.

Procedures:

Procedures for the formal business meetings of the Committee shall be governed by the City's Procedural By-law and Legislation or, where both of these are silent, by Robert's Rules of Order.

Closed Meetings:

The Committee may, upon affirmative vote of the majority of its members present at a meeting, determine to hold any meeting or part of a meeting as a closed

session in order to discuss sensitive personal issues or legal matters. If the Committee elects to hold a closed session, all persons not entitled to vote (with the exception of the staff liaison and visiting members of Council, if any, and all persons excepted by the members) shall vacate the premises where the meeting is taking place. Closed meetings can only be held in accordance with Section 239 of the Municipal Act. Prior to the commencement of closed session, a resolution shall be passed stating the general nature of the matter to be discussed and what section of the Municipal Act applies. The Committee shall maintain a record of the meeting which will be stored with the lead department, and a copy provided to the City Clerk's office. Formal minutes are not required for working meetings.

Agendas and Minutes:

A copy of the Agenda shall be provided to the City Clerk's office at the same time it is provided to Committee Members. The City Clerk's office will distribute the agenda to Council members as per established procedures.

Minutes of all formal business meetings and notes from working meetings of the Committee shall be forwarded to the liaison department, and to the City Clerk's Office, not later than two weeks after the meeting. Action items requested of staff and/or Council will be brought to the attention of the Human Services Department at that time. The City Clerk's Office will electronically circulate the formal business meeting minutes to all members of Council for their information. The City Clerk's Office will maintain a set of printed minutes on file for public review.

The Recording Secretary shall ensure that all Committee Agendas and Minutes are posted to the City website at the same times as they are circulated to the City Clerk's Office.

Reports:

Recommendations of the Victoria Manor Committee of Management are to be forwarded to Council, through the liaison department, in a formal written report on the City report template. It will be the responsibility of the Committee Chair to provide a memo to the liaison department identifying the Committee recommendations for final preparation of the report.

Purchasing Policy:

This Committee has no purchasing or procurement responsibilities.

Insurance:

The City of Kawartha Lakes' General Liability Policy and Errors and Omissions Liability Policy will extend to this Committee and its members. The applicable insurance policies extend to Committee members while in the performance of his/her duties and to those activities authorized by the City of Kawartha Lakes and Council. Members must adhere to the policies and procedures of the City of Kawartha Lakes and Council, including the Terms of Reference.

The Committee must provide, via the liaison department an annual updated listing of all members, including member positions, to the City of Kawartha Lakes to ensure the applicable insurance coverage remains in force.

Committee members are not entitled to any benefits normally provided by the Corporation of the City of Kawartha Lakes, including those provided by the Workplace Safety and Insurance Board of Ontario ("WSIB") and are responsible for their own medical, disability or health insurance coverage.

Expulsion of Member:

Any member of the Committee may be removed from the Committee at the discretion of Council for reasons including, but not limited to, the member being in contravention of the Municipal Act, the Municipal Freedom of Information and Protection of Privacy Act, the Provincial Offences Act, The Municipal Conflict of Interest Act or the Code of Conduct for Committee Members; disrupting the work of the Committee; or other legal issues.

Terms of Reference:

The Recording Secretary shall ensure that a current Terms of Reference for the Committee has been provided to the City Clerk's Office and is posted on the City website.

Any responsibilities not clearly identified within these Terms of Reference shall be the responsibility of the City of Kawartha Lakes. Council may, at its discretion, change the Terms of Reference for this Committee at any time. Any changes proposed to these Terms of Reference by the Committee shall be recommended to Council via the liaison department through a report to Council.