



REPORT TO

## STUDENT ACHIEVEMENT AND WELL BEING, CATHOLIC EDUCATION AND HUMAN RESOURCES COMMITTEE

### ADMINISTRATIVE SUPPORT FOR TRUSTEES

*"Ask and it will be given to you; seek and you will find; knock and the door will be opened to you. For everyone who asks receives; he who seeks finds; and to him who knocks, the door will be opened."*

**Matthew 7:7-8**

Created, Draft	First Tabling	Review
October 5, 2015	October 8, 2015	<a href="#">Click here to enter a date</a>
P. De Cock, Comptroller of Business Services & Finance P. Matthews, General Legal Counsel		
<b>RECOMMENDATION REPORT</b>		

**Vision:**

*At Toronto Catholic we transform the world through witness, faith, innovation and action.*

**Mission:**

*The Toronto Catholic District School Board is an inclusive learning community rooted in the love of Christ. We educate students to grow in grace and knowledge and to lead lives of faith, hope and charity.*



**G. Poole**  
Associate Director of Academic Affairs

**A. Sangiorgio**  
Associate Director of Planning and Facilities

**Angela Gauthier**  
Director of Education

## **A. EXECUTIVE SUMMARY**

This report responds to a request from Board to review and discuss the provision of administrative support services to the Board of Trustees. The provision of such administrative support services is funded by the Board Administrative and Governance Grant, in which there is an amount earmarked for Board Governance.

## **B. PURPOSE**

1. Arising from a Communication from Trustees Angela Kennedy and Gary Tanuan, the Board Action/Direction requested staff for a report to the Student Achievement Committee in order to address the items listed in the communication and also call the Ministry to find out what their position is with respect to support for Trustees.

## **C. BACKGROUND**

1. At the Regular Board meeting held on August 27<sup>th</sup>, a communication from Trustees Angela Kennedy and Gary Tanuan stated the following:
  - i. Since August 31<sup>st</sup> 2015 is the end of the Constituency Assistant contracts; and we would like to have continuity of services for our constituents, we would like to address this as soon as possible.
  - ii. We understand that there is \$144,000 in the budget allocated for trustee support; we expect to have a substantive say in the decision around the new model.
  - iii. We believe in a shared model of Constituency Assistant services that provide optimum efficiency and effective use of taxpayer dollars.
  - iv. Therefore, we hope that this letter will serve to initiate a discussion amongst the board of trustees and a decision on a new model for Constituency Assistants.
2. During the Regular Board meeting held on April 23<sup>rd</sup> 2015, the Board approved changes to TCDSB Policy T.17 (Trustee Services and Expenditures) which included the removal of Regulation G (Appendix A) regarding Trustee Assistants.

3. Included in the Education Act in Section 218.1 part (f), a member of a board shall, entrust the day to day management of the board to its staff through the board's director of education. The provision of administrative support to trustees is thereby entrusted to the Director of Education and the associated cost is funded by the Board Administration and Governance Grant.
4. The Board approved the 2015-16 Budget Estimates during the Student Achievement Committee meeting held on June 4<sup>th</sup> 2015, in which the following Grant and Expenditure estimates are included:

<b>2015-16 Board Governance Grant and Expenditure Estimates</b>	
<b>Grant Allocations</b>	
Governance & Trustees' Association Fee	284,818
Board Administration Grant (\$856,107 - \$284,818)	571,289
<b>Total Grant Allocation</b>	<b>856,107</b>
<b>Expenditure Estimates</b>	
Honorariums	259,138
Administrative Support	120,000
Other Expenses	267,629
OCSTA Membership Fees	209,340
<b>Total Expenditure Estimates</b>	<b>856,107</b>

As per the 2015-16 Budget Estimates, TCDSB is compliant in the Board Administration & Governance Expenditure Category with a total funding allocation of \$23,953,062 and net expenses of \$20,908,046.

5. The Board of Trustees reviewed several options for administrative support at the March 7, 2012 Board meeting and recommended staff provide information for either the procurement of services of external contractors or the hiring of a part-time Non Union Officer. Either method would have to comply with the Board's procurement policy and/or the Board's internal hiring practices.
6. Resulting from an Action After the March 7, 2012 Board Report regarding Trustee administrative support services, staff was requested to provide further information for a hybrid model that offers trustees either the choice of:

- i. An independent external contractor that would provide exclusive, direct administrative support
  - ii. Administrative support from an internally hired non-union permanent part-time administrative support personnel
7. The provision of external independent contractor services must comply with certain legal requirements which include the following but not limited to:
  - Payment will occur through the Board's accounting services rather than payroll services
  - An employer/employee relationship must not exist between the independent contractor and the corporate board.

A decision to contract out for external independent contractors to provide trustee administrative services eliminates statutory employer obligations such as Canada Pension, Employment Insurance premiums, Employer Health Tax, statutory holiday and vacation pay costs, provided that the individual providing services is at law an independent contractor and not an employee of the Board.

An "Independent Contractor Services Agreement" would need to be completed whereby the external contractor and/or trustee must comply with all necessary Service Canada regulations and Board procurement requirements. The "Independent Contractor Services Agreement" must provide a disclaimer that both the independent contractor and the trustee has no personal relationship or have/had an existing business relationship and are free of conflict in interest and are not existing employees of the Board. The following documents would need to be completed by the trustee and/or independent contractor:

- Contract of Services Agreement
- A Service Provider Criminal Background Check
- Vendor Application
- Monthly Invoice Submission

## **D. EVIDENCE/RESEARCH/ANALYSIS**

**The following options are provided for discussion and final choice by the Board of Trustees:**

### **Option 3 (A):**

All twelve (12) trustees would choose the option of an external independent contractor at a cost allocation of \$10,000 per trustee not to exceed a total of \$120,000.

### **Option 3 (B):**

Seven (7) trustees would choose the option of an external independent contractor at a cost allocation of \$10,000 per trustee not to exceed a total of \$70,000.

**AND**

Minimum of five (5) trustees would choose the option of hiring one part-time Non Union Officer at a cost allocation of \$50,000 at approximately 2.5 days per week. Five (5) trustees would be required to choose this option in order to make the hiring of the Non-Union Officer financially viable and sustainable.

### **Option 3(C):**

All twelve (12) trustees would choose the option of hiring one full-time Non-Union Officer at a cost not to exceed a total of \$120,000.

## **NOTES:**

1. The billing rate is recommended at \$20.00 per hour which provides a maximum of 500 billing hours per fiscal year (equivalent to 120 days at 5 hours/day)
2. The chosen option for each trustee will remain in effect at minimum for 12 months, only to be reviewed on an annual basis.

3. The Board's hiring process must be followed for the hiring of a permanent or part-time administrative assistant.

## **E. STAFF RECOMMENDATION**

That the above options in Section D be discussed, considered and trustees select and approve the chosen option.