

MANDATE AND ROLES DOCUMENT

(the "Document")

between

the MINISTER OF MUNICIPAL AFFAIRS

(the "Minister")

and

the SAFETY CODES COUNCIL

(the "Council")

1. Introduction

- 1.1. Alberta's safety codes system depends on a strong partnership between the Minister, and the Council. The goal of this partnership is to ensure the safety codes system is comprehensive, effective, accountable to the public, and maintains public confidence.
- 1.2. This Document has been developed collaboratively by the Council's Board of Directors (the "Board") on behalf of the Council, and the Minister.
- 1.3. Unless otherwise specified in this Document, the Council includes the Chair of the Board of Directors (the "Chair"), the Board, Council members, the President and CEO, and Council staff.
- 1.4. Unless otherwise specified in this Document, the Minister includes the Deputy Minister (the "Deputy"), the Assistant Deputy Minister, and Alberta Municipal Affairs (the "Department") staff.

2. Purpose

- 2.1. The purpose of this document is to:
 - 2.1.1. reflect a common understanding of the Minister's and the Council's respective roles and responsibilities;
 - 2.1.2. outline the Minister's expectations of the Council;
 - 2.1.3. clarify the relationship and interaction between of the Council and the Minister; and

- 2.1.4. enhance and promote collaboration, communication and information sharing between the Minister, the Department of Municipal Affairs (the "Department") and the Council.

3. Legislative Authority

- 3.1. The Government of Alberta establishes the legislative, regulatory and public policy frameworks under which the Council operates.
- 3.2. The Council is created under the *Safety Codes Act* (the "Act") as a statutory corporation that is accountable to the Minister.
- 3.3. The Council is prescribed duties and responsibilities under the Act, and is accountable to the Minister for the fulfilment of those duties and responsibilities.
- 3.4. The Minister has also assigned additional responsibilities to the Council by Ministerial Order.
- 3.5. The Council is subject to other Government of Alberta legislation, orders, agreements, directives and policies, including, but not limited to, the *Government Accountability Act*, the *Financial Administration Act*, the *Auditor General Act*, and the *Freedom of Information and Protection of Privacy Act*.
- 3.6. As a statutory corporation, the Council establishes its own business plan and budget, which is approved by the Board, and it has its own expenditure authority.
- 3.7. The Council employs its own staff, who are not subject to the *Public Service Act*.
- 3.8. The Council operates in accordance with its bylaws, which are established under the authority of section 19 of the Act and approved by its members at an Annual General Meeting of the Council.

4. The Council's Mandate

- 4.1. The Council's vision is:

Alberta: a safe place to live, work, and play.
- 4.2. The Council's mission is:

Working with our partners and stakeholders, the Safety Codes Council provides an effective and sustainable safety codes system for structures, facilities, and equipment.
- 4.3. The Council implements the Minister's public policy for the safety codes system, and administers the safety codes system on behalf of the Minister, as set out in the Act and delegated through Ministerial Order.
- 4.4. The Council's mandate encompasses the following three (3) major areas.
 - 4.4.1. Support of the Minister's public policy objectives for the safety codes system by:
 - a. Reviewing and formulating, with the Minister's consent, codes and standards respecting accreditation and safety standards for any thing, process or activity to which the Act applies;

- b. supporting the development and publication of Alberta-specific codes and standards;**
- c. promoting uniformity of safety standards for any thing, process or activity to which this Act applies;**
- d. promoting uniform safety standards and principles of barrier-free design and access;**
- e. reviewing proposed changes to the regulations established under the Act pursuant to section 65(6) of the Act;**
- f. reviewing and formulating classifications of certificates of competency and qualifications of persons required to hold a certificate of competency; and**
- g. providing advice on any issue, policy direction or other matter the Minister deems necessary.**

4.4.2. Administering an appeals system that:

- a. is independent, open, transparent, fair and conforms to the principles of administrative law and natural justice;**
- b. hears and issues decisions on appeals made under Part 5 of the Act;**
- c. communicates the result of an appeal to appellants, respondents, relevant Administrators, and other affected parties; and**
- d. publishes appeal decisions resulting from appeal hearings publicly.**

4.4.3. Support of the Minister's administration of the safety codes system by:

- a. operating the Alberta Safety Codes Authority (ASCA) to deliver permitting and inspection services in unaccredited municipalities;**
- b. delivering and managing programs and processes that:**
 - i. accredit municipalities, regional service commissions, corporations and agencies to carry out specific activities under the Act;**
 - ii. train, certify and designate safety codes officers for a specific scope of work; and**
 - iii. examine and certify master electricians.**
- c. monitoring accredited entities;**
- d. investigating complaints about accredited organizations, safety codes officers, permit issuers, and master electricians and sharing their findings with the Department;**
- e. collecting and analyzing information from the safety codes system that identifies issues, trends and improvement opportunities and sharing their findings with the Department;**

- f. acting as a liaison between the Minister and any organization or person interested in safety or barrier-free design and access matters governed by the Act;
- g. providing support to the Council's partners and stakeholders;
- h. by the Minister's request, carry out activities on behalf of the Minister; and
- i. maintaining a system that tracks safety codes system information and data that can be:
 - i. used to identify trends and issues within the safety codes system; and
 - ii. can be accessed by the Minister and the Department.

5. Duties and Responsibilities

5.1. The Minister

- 5.1.1. The Minister sets and establishes public policy, which determines the strategic direction, goals, and scope of the Alberta's safety codes system.
- 5.1.2. The Minister is responsible to the Legislative Assembly of Alberta and Albertans for the Act, and the safety codes system.
- 5.1.3. Under the Act, the Minister has broad responsibility to coordinate and encourage:
 - a. the safe management and control of any thing, process or activity to which the Act applies; and
 - b. the principles of barrier-free design and access for any thing, process or activity to which the Act applies.
- 5.1.4. The Minister or designate may establish an assurance program in order to review and assess the programs delegated to the Safety Codes Council.
- 5.1.5. In support of these legislated responsibilities, and to assist the Council in achieving its mandate, the Minister:
 - a. direct the Council as to government's expectations, its strategic and public policy direction;
 - b. notifies and may consult with the Chair and the Board when the mandate and operation of the Council might be affected by the consideration of:
 - i. new, or changes to existing, strategic and public policy direction; and
 - ii. initiatives that require new, or amendment of existing, legislation, regulations or guidelines.
 - c. seeks advice or information from the Council, as necessary, on any matter related to the safety codes system;

- d. fosters open communication and information sharing between the Council and the Deputy, and the Department;
- e. monitors the Council to ensure it follows good corporate governance, is acting within its mandate, and is achieving its long-term and short-term objectives; and
- f. may, provide the Council with assistance on other matters.

5.2. The Deputy

5.2.1. The Deputy supports and acts under the general direction of the Minister in fulfillment of the Minister's responsibilities.

5.2.2. To assist the Minister, the Deputy, or their designate:

- a. communicates government policy and direction that affects the work of the Council;
- b. monitors the operation and performance of the Council to ensure it is fulfilling its mandate, is aligned with the public policy objectives of the government, and is in compliance with applicable legislation and regulation;
- c. attends regular meetings with the Chair, or the Board;
- d. may participate in the Council's strategic planning and annual business planning, which includes setting performance targets and identifying priority initiatives to be undertaken by the Council;
- e. consults with the Council, if deemed necessary, when developing the Department annual business plan;
- f. ensures that the Department fulfills its responsibilities in support of the Council;
- g. facilitates open, transparent and timely communication and information exchange between the Department and the Council;
- h. provides support to the Council at the Deputy's discretion; and
- i. is the Head of the Council for the purposes of the administration of the *Freedom of Information and Protection of Privacy Act*.

5.3. The Department

5.3.1. The Department supports the Minister, the Deputy and the Council in meeting their legislated and delegated responsibilities.

5.3.2. In support of the Minister and Deputy, the Department:

- a. works collaboratively with the Council to review proposed changes to the Act, its regulations, and related policy initiatives;

- b. participates in and provides technical advice to support the Council's review and formulation of codes and standards, when required;
- c. may provide technical advice and support to the Council in hearing appeals under Part 5 of the Act;
- d. communicates, advises and shares information with the Council on matters related to the Council's mandate in an open, transparent and timely manner;
- e. conducts compliance audits and special reviews of the Council and its operations when requested by the Minister or Deputy;
- f. provides records management and *Freedom of Information and Protection of Privacy Act* advice and support; and
- g. may enter into contracts or other agreements with the Council as necessary and required.

5.4. The Board

- 5.4.1. The Council is governed and led by the Board, which sets the strategic direction of the Council in the achievement of its vision, mission and mandate.
- 5.4.2. The Board directs the Council in its support of the Minister, and the fulfillment of Minister's role in the safety codes system.
- 5.4.3. The Board is responsible and accountable to the Minister for:
 - a. the fulfillment of their fiduciary responsibilities and duties in the best interests of the safety codes system, and all Albertans and;
 - b. the governance, the adoption of good governance practices, and oversight of the Council;
 - c. the strategic direction of the Council and its alignment with the Minister's public policy objectives for the safety codes system;
 - d. ensuring the Council successfully carries out the Minister's public policy objectives for the safety codes system;
 - e. advising and informing the Minister as soon as practicable of all material developments and significant emergent issues related to the safety codes system;
 - f. the execution and delivery of the duties and responsibilities delegated to the Council under the Act and by Ministerial Order;
 - g. the Council's compliance with all relevant Cabinet directives, provincial and federal laws and regulations, and Government of Alberta agreements, policies, and procedures;
 - h. providing the Minister with advance notice of any proposed significant public consultations with safety codes system stakeholders;

- i. providing any information regarding the Council's activities or operations which the Minister deems necessary for the administration or evaluation of the safety codes system; and
- j. keeping the Minister informed of any legal issues related to the Council of which the Council has actual knowledge.

5.4.4. In the corporate governance of the Council, the Board is responsible for:

- a. appointing all members of the Board and the Council's Sub-Councils other than the Chair and public members of Council;
- b. the approval, monitoring and reporting of the Council's strategic plan, business plan, budget and financial results and sustainability;
- c. the oversight of the business affairs of the Council;
- d. ensuring effective internal controls and reporting systems are in place;
- e. facilitating open communication and information exchange between the Council and the Minister, the Deputy, and the Department;
- f. ensuring a recruitment, development and succession plan for members of Council and the Board is in place and kept current; and
- g. the selection and performance of the President and CEO.

5.5. The Chair

5.5.1. The Board and the Council is led by the Chair.

5.5.2. With direction from the Board, the Chair represents the Board and its interests in dealing with the Minister, the Deputy, the Council, the President and CEO and stakeholders of the Council.

5.5.3. The Chair is responsible and accountable to the Minister for:

- a. providing leadership and direction to the Board;
- b. ensuring that the Board discharges its fiduciary and corporate governance responsibilities;
- c. the work of the Board, and its standing committees;
- d. the Council's decisions respecting the safety codes system;
- e. providing the Minister with updates on the Council's operations and informing the Minister regarding emergent issues;
- f. providing the Minister with timely, relevant, accurate and complete reports that will enable the Minister to assess whether the Council is fulfilling its mandate;
- g. directing, as required, the President and CEO

- h. completing an annual evaluation of the performance of the Board and the President and CEO;**
- i. the implementation and administration of the Council's Code of Conduct and Ethics, and**
- j. that conflict of interest matters related to members of Council are addressed and resolved by the Board.**

5.6. President and CEO

5.6.1. The President and CEO leads the corporate organization that supports the work of the Board and the Chair in the achievement of the Council's mandate within the safety codes system.

5.6.2. The President and CEO is responsible and accountable to the Chair and the Board for:

- a. the management and operation of the day-to-day activities of the Council;**
- b. the execution of the Council's strategic and business plans, annual budget, investment and risk management plan;**
- c. the delivery of the Council's programs and services according to the mandate, standards, policies and budget set and approved by the Board;**
- d. the measurement and reporting of the performance of the Council's programs and services;**
- e. providing the Board with the reporting and information it requires to carry out its governance responsibilities;**
- f. the financial systems and management controls to administer the Council's assets and liabilities; and**
- g. fostering and facilitating effective and open communication between the Chair, the Board, the Assistant Deputy Minister of Public Safety, the Department, the Council's stakeholders, and other business and industry partners.**

5.7. Council Members

5.7.1. All members of Council will:

- a. act in the best interests of the Council, Alberta's safety codes system, and Albertans in the performance of their duties and responsibilities;**
- b. represent the technical discipline and industry segment for which they are appointed for the overall betterment of the safety codes system and the public safety of Albertans; and**
- c. sign and abide by the Council's Code of Conduct and Ethics and other related policies.**

5.8. Administrators

- 5.8.1. An Administrator is appointed by the Minister and supports the Minister in the fulfillment of the Minister's responsibilities under the Act.
- 5.8.2. The powers and duties of an Administrator are prescribed by the Minister through Ministerial Order.
- 5.8.3. The Minister may set further terms and conditions on the appointment of an Administrator through a standard of practice.

6. Recruitment, Appointment and Training of Board and Council Members

6.1. Recruitment and Appointment of Board Members

- 6.1.1. The recruitment and appointment of Board members, with the exception of the Chair, is the responsibility of the Board.
- 6.1.2. The recruitment and appointment of the Chair is the sole responsibility of the Minister.

6.2. Recruitment and Appointment of Council Members

- 6.2.1. The recruitment and appointment of members of Council, with the exception of public members, is the responsibility of the Board.
- 6.2.2. The recruitment and appointment of public members is the sole responsibility of the Minister.

6.3. Recruitment and Appointment Process

- 6.3.1. The process followed to recruit and appoint members to Council and the Board will be competency-based, transparent, and encourage diversity and regional representation.
- 6.3.2. The Council's recruiting and appointment process is established in policy, as follows:
 - a. Board members are recruited and appointed in accordance with Council Policy 9.20 - Appointment to Governing Body.
 - b. Council members are recruited and appointed in accordance with Council Policy 9.10 - Appointment to Council and Council Policy 9.50 - Matrices.
- 6.3.3. The overall recruitment and appointment process for Board and Council Members will:
 - a. identify the competencies required by the position being recruited to create a recruitment profile;
 - b. receive and assess applications on the basis of the applicable competencies and values identified in the recruitment profile;
 - c. result in a recommendation to the Board for appointment; and

- d. conclude with the appointment of the successful candidate by motion of the Board.

6.4. Orientation and Training

- 6.4.1. The Board will maintain an orientation manual, which will include a Board Charter, terms of reference for each of its standing and special committees and a formal orientation program for new Board Members.
- 6.4.2. The Council will maintain a new member orientation manual and a formal orientation program for new Council Members.
- 6.4.3. Beyond the opportunities provided by the Council, all Board and Council members will be:
 - a. encouraged to participate in professional development related to board governance, leadership development, administrative justice and appropriate technical training; and
 - b. take responsibility for their own development and education regarding their roles and responsibilities.

7. Code of Conduct and Ethics

- 7.1. All Board and Council members must comply with the Code of Conduct and Ethics established in Council Policy 9.22 - Code of Conduct and Ethics.
- 7.2. All members of the Board are also required to uphold an Oath of Confidentiality as prescribed in the Council's bylaws.

8. Interaction, Communications and Information Sharing

8.1. Interaction between the Council, the Minister and the Department

- 8.1.1. The Chair interacts with the Minister, and the Deputy.
- 8.1.2. The President and CEO, or designates, interacts with the Assistant Deputy Minister, or designates.
- 8.1.3. The Chair and the Minister and/or the Deputy will meet, at a minimum, annually to discuss the performance of the Council and the safety codes system in general.
- 8.1.4. The Assistant Deputy Minister, or designate, may attend meetings of the Board as the Minister's representative.
- 8.1.5. The President and CEO and the Assistant Deputy Minister will use reasonable efforts to meet and communicate regularly on an on-going basis.
- 8.1.6. Council and Department staff will use reasonable efforts to consult and communicate regarding any matter related to the Act, this Document, or the administration of Alberta's safety codes system.

- 8.1.7. Council members, Council staff and Department staff may actively participate on committees of the Council, Department, Government of Alberta or code development bodies standard development organizations technically studying issues related to the Act and the safety codes system.
- 8.1.8. Through collaboration, cooperation and discussion, designates of the Council and the Department will determine the approach and the process for sharing information on a regular basis, and the most effective way to address urgent matters, emerging issues and opportunities.

8.2. Communications

- 8.2.1. The Council will conduct its communications consistent with its legislated mandate as a statutory corporation.
- 8.2.2. The Council and the Department will work collaboratively and cooperatively to align their communication activities.
- 8.2.3. The Chair, and as appropriate the President and CEO, will determine spokespersons for the Council.
- 8.2.4. The Minister or the Deputy will designate the spokespersons for the Department.
- 8.2.5. The Council, Minister, the Department, or designates will use reasonable best efforts to consult and give advanced notice of media interview requests, media events, news releases or announcements related to the Act, the duties and responsibilities of the Council, or Alberta's safety codes system.

8.3. Information and Data Sharing

- 8.3.1. Information and data are critical to evaluating the safety codes system, developing strategic public safety policy, developing responsive programs and informing the development of technical codes and standards.
- 8.3.2. In the spirit of improving the safety codes system, the Minister and Council will work collaboratively to ensure that:
 - a. the Minister and the Department have access to all information and data under the custody and control of the Council, save where prohibited by law, that would assist:
 - i. in the development of public policy for the safety codes system;
 - ii. in reviewing programs; and
 - iii. in the management of issues related to the safety codes system.
 - b. the Council has access to all information and data under the custody and control of the Minister and the Department, save where prohibited by law, that would assist:
 - i. in the review and development of codes and standards; and
 - ii. in the administration of its programs and services.

- c. the development of new information technology systems meets the needs of the Minister and the Council.

9. Accountability Documents

- 9.1. Pursuant to the Act, the Chair, on behalf of the Council, will provide the following documents annually to the Minister after approval by the Board:
 - 9.1.1. **Strategic Plan:** A multi-year strategic plan that provides a long-term outlook on Council priorities and how it will address high-level trends and issues in the safety codes system.
 - 9.1.2. **Business Plan:** A three-year business plan that outlines the Council's key goals, initiatives, budget and forecast for that period.
 - 9.1.3. **Annual Report:** An annual report submitted within 180 days of the end of the Council's fiscal year which reports on the Council's activities, the implementation of its strategic and business plans, and measures the performance of the Council in its duties. The annual report will also include information about Board member meeting attendance.
 - 9.1.4. **Year-end Letter from the Chair:** A year-end management letter from the Chair to the Minister for the Minister's use only and not for public release. This letter will identify:
 - a. any issues or concerns experienced or anticipated; and
 - b. any developing trends which should be brought to the Minister's attention for information or action.

10. Administration

10.1. Review and Amendment of this Document

- 10.1.1. This document shall be reviewed annually by the Deputy, or their designate, and the Chair of the Board in advance of the Council's Annual General Meeting.
- 10.1.2. This document may be amended at any time by mutual agreement of the Minister and the Board.
- 10.1.3. This document must be renewed, amended or replaced within three years of the date it is signed.

10.2. Legal and Regulatory Matters

- 10.2.1. The Council shall not commence any actions or proceedings before any court, government department, agency, board or commission in Canada or elsewhere without the prior approval of the Minister or the Minister's representatives, other than actions or proceedings in the Council's normal and usual course of business.

- 10.2.2. The Council shall, in a timely manner, notify the Minister regarding:**
- a. legal actions brought against the Council or, upon the Council becoming aware of them, legal actions by third parties in respect to the business affairs of the Council;**
 - b. pending or threatened actions or proceedings against the Council, before or by any court, government department, agency, board or commission in Canada or elsewhere; and**
 - c. legal actions undertaken by ASCA related to an order issued under its jurisdiction for an offence under the Act.**

10.3. Conflict

10.3.1. Nothing in this Document is intended to or shall interfere with the Council's proper exercise of its statutory grant of power.

10.3.2. This Document does not affect, modify, limit or interfere with the responsibilities of any of the parties under the Act or other legislation within the mandate of the Council. In the event of any conflict between this Document, the Act or other legislation, the Act or other legislation prevails.

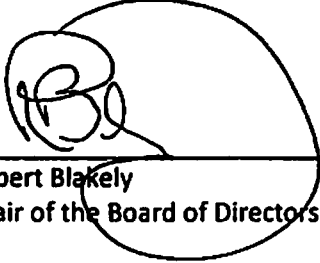
10.4. Transparency

10.4.1. Copies of the Document will be filed with the Minister, and the Council.

10.4.2. In support of the principle of transparency, this Document will also be available to the public on the Council's website and through the Department's website.

Signed By:

Safety Codes Council:

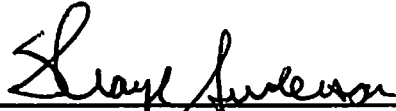


Robert Blakely
Chair of the Board of Directors

27 Jun 2017

Date:

Alberta Municipal Affairs



Honourable Shaye Anderson
Minister of Municipal Affairs

8/3/2017

Date: