Title of Policy: Executive Scope and Limitations

Policy Type: Governance
Policy No.: G-03

Effective Date: August 5, 2015 Review Date: November, 2018

PURPOSE:

This policy defines the executive scope of action and limitations of the Chief Executive Officer & Chief Librarian and contributes to the accountability of the CEO.

DEFINITIONS

Assets means property assets that includes all tangible capital assets, e.g. land, buildings, collections, furniture, equipment, technological infrastructure and electronic assets and financial assets of the Library Board.

Board means London Public Library Board.

CEO means Chief Executive Officer & Chief Librarian.

Employee means a person who is employed by the Library and includes all Employees, including Page and Casual staff.

POLICY STATEMENT

It is the policy of the London Public Library that the CEO is required to act according to the highest ethical, professional and legal standards, in all respects and at all times.

It is therefore required that he or she not cause or allow any practice, activity, decision or organizational circumstance which is either imprudent or unlawful, or in violation of commonly accepted business ethics; the Public Libraries Act, RSO 1990, Ch. 44 and other relevant legislation; legal agreements/contracts including the contractual agreement with the CUPE Local 217, the Library Employees’ Union.

Asset Management and Protection

The CEO shall ensure that the assets of the organization are protected, adequately maintained and not unnecessarily risked.

Property Assets:

The CEO shall secure all Board assets, including land, facilities, collections, furniture, equipment, technological infrastructure and electronic assets, from risk of theft or damage. Accordingly the CEO shall ensure that:
a) Land and facilities are secure and well maintained and are not subject to improper use, wear and tear or improper maintenance.
b) LPL has a Records Management Policy and retention/disposition procedures in place to protect intellectual property, information and files from unauthorized access, loss or significant damage.
c) Appropriate action is taken in response to theft or damage to Board assets.
d) The insurable assets of the organization are insured against losses for replacement value.
e) Surplus collections, furniture and equipment are disposed of in a practical and advantageous method.

Financial Assets

The CEO shall ensure that:

a) The organization, its employees, and the Board are not unnecessarily exposed to claims of liability and that adequate third party liability insurance is in place for protection;
b) The LPL Fraud Policy and Risk Management Plan is in place;
c) Effective internal financial control systems to protect the organization are in place with regard to access of personnel to material amounts of the organization’s funds;
d) Adequate internal financial controls that meet the standards of the organization’s auditors are in place, and that these controls are tested at periodic intervals; and that

e) Investments are not made that are inconsistent with the Means Policy: Investment Policy.

Purchases

The CEO shall ensure that purchases are consistent with the LPL Procurement Policy.

Budgeting and Forecasting

Budgeting shall take into account the short and long-term financial health of the organization.

Budgeting in any fiscal year or the remaining part of any fiscal year shall not deviate materially from Board ends priorities, the requirements of the Public Libraries Act, 1990, C.P. 44 and other relevant legislation, risk fiscal jeopardy, or fail to show a generally acceptable level of foresight.
The CEO shall ensure that:

a) All budgets disclose planning assumptions, cash flow projections, capital requirements, including justification and a reasonable projection of costs and revenues.

b) Operating and budget requirements for the ensuing year are prepared and presented according to prescribed time lines to meet the requirements of the Municipal budget cycle.

The CEO shall ensure that the operating budget:

a) Enables accurate projection of revenues and expenses, separation of capital and operational items, cash flow and disclosure of planning assumptions.

b) Provides adequate information to support a full line or program budget presentation.

c) Plans the expenditures in any fiscal year of funds that are conservatively projected to be received in that period.

d) Provides resources for Board governance, such as costs of fiscal audit, Board development and Board and committee meetings.

The CEO shall ensure that the capital budget:

a) Presents capital budget estimates with sufficient detail to describe the nature, scale and scope of the proposal, including full disclosure of all the costs.

b) Presents comprehensive capital estimates to the Board following established City of London requirements.

c) Is based on realistic operating or capital budget estimates based on reasonable and/or expected funding and financial considerations.

Financial Condition

With respect to the actual, ongoing financial condition and activities of the organization, the CEO shall be responsible for continuously monitoring the finances of the organization to ensure that the financial condition remains sound and in accordance with the Board’s Ends Policies, the established requirements under the Public Libraries Act, RSO 1990, Ch. 44, or any other relevant legislation and municipal requirements.
The CEO shall not

a) Borrow money or pledge the assets of London Public Library.
b) Invest funds of the organization in instruments contrary to Board direction. (Refer to Means Policy: Investment Policy)
c) Allow liquid assets to drop below the amount to meet Library contractual obligations and settle debts in a timely manner.
d) Allow tax or other government mandated payments or filings to be overdue or inaccurately filed.
e) Acquire, encumber or dispose of real property without Board approval.

Communication and Counsel to the Board

The CEO shall provide professional counsel to the Library Board and ensure that the Board is always informed about all significant matters related to the achievement of the Board’s Policies and Strategic Plan. The CEO shall:

a) Advise the Board in a timely, complete and accurate manner of relevant trends, anticipated adverse controversial media coverage, material external and internal changes, customer complaints, which in the judgment of the CEO are of pressing concern, and particularly changes in the assumptions upon which any governance policy has been previously established.
b) Submit the required monitoring data in a timely, accurate and understandable fashion.
c) Never knowingly withhold or distort information that is needed for fully informed Board decisions.
d) Provide a mechanism to provide for all Board internal and external communications, including the timely distribution of media releases to the Board.
e) Deal with the Board as a whole except when responding to individual requests for information relevant to Board motions and processes or responding to officers or committees duly charged by the Board.
f) Report in a timely manner on actual or anticipated non-compliance with any policy of the Board.
g) Advise the Board if, in the CEO’s opinion, the Board is not in compliance with its own Governance Policies.
h) Follow the Board Communications Policy regarding being a public spokesperson on matters related to the Board, its policies and actions.
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Emergency Executive Succession

In order to protect the Board from sudden loss of the CEO’s services, the CEO may not have fewer than two other senior managers familiar with Board and CEO policies, issues and processes and understand all aspects of the organization and able to carry on the responsibilities of CEO as set out in the policies.

a) The CEO shall ensure that the Board knows and understands the competencies of those individuals.
b) When the CEO is either on vacation for a period of more than ten (10) working days or is on vacation outside of Canada, the CEO shall designate and inform the Board of the senior manager in charge during this period.
c) The CEO shall ensure the continuance of such key positions within the organization.

Employment

The CEO supports a values centred, high performance culture which provides a mutually respectful, safe workplace free of harassment and workplace violence for all Employees and Volunteers. He or she will not cause or allow conditions that are unfair, undignified or unsafe or in violation of any human rights and employment legislation.

The CEO shall ensure that all human resources policies and practices:

a) Comply with applicable legislation and that a copy of such policies will be communicated and available to each employee.
b) Are updated at least annually and that employees’ updates are provided annually to review these policies and any recent changes.
c) Are aligned with conditions in the Collective Agreement between The London Public Library Board and the Canadian Union of Public Employees and its Local 217 The London Library Employees’ Union.
d) Adhere to the Means Policy: Mutual Respect Policy.

Collective bargaining, including related public communications concerning same, is the responsibility of the CEO & Chief Librarian and Library Administration, as delegated by the CEO. The Library Board will not have direct involvement in the negotiations process or communications concerning the process. As part of the Library Board’s role as an Employer and its fiduciary responsibility, the Board will provide high level direction to the CEO, as required, and any tentative agreement relating to the Collective Agreement between the London Public Library Board and Local 217, is subject to ratification by the Library Board.
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Compensation and Benefits

The CEO shall have in mind fairness and the fiscal integrity and public image of the organization in all matters relating to employment, compensation and benefits to Employees and consultants. The CEO shall:

a) Oversee the compensation practices of London Public Library.
b) Oversee the administration of the Library’s compensation and benefits programs for employees.
c) Oversee and set compensation policies and processes for the Library’s non-bargaining unit staff.
d) Review the performance and development of Library management in achieving corporate goals and objectives and assure that senior managers are compensated effectively in a manner consistent with the strategy of the Library and competitive practice.
e) Review and approve any employment agreements or severance arrangements.
f) Never change his or her own compensation and benefits.

INQUIRIES
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