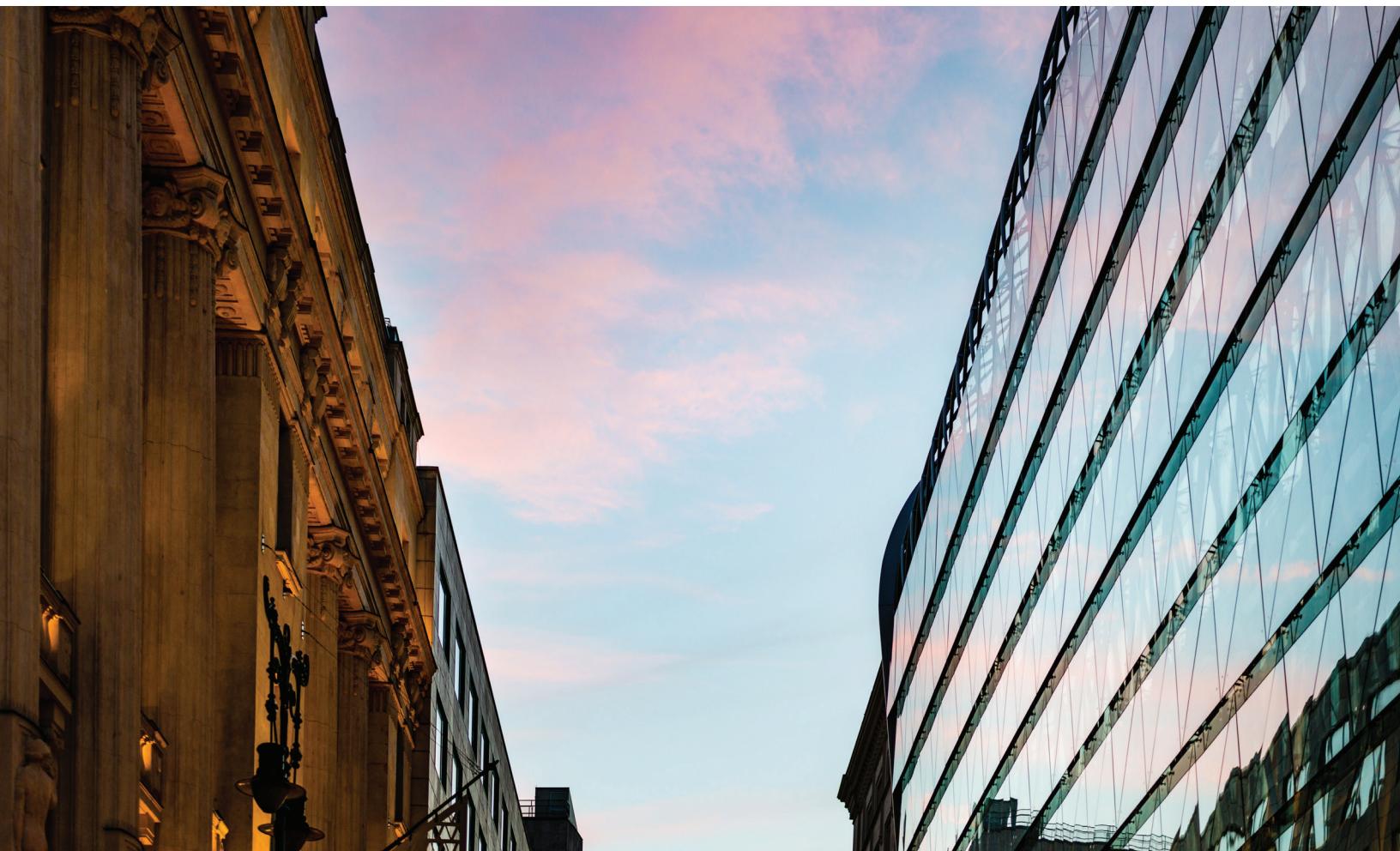


PUBLIC SECTOR DIGEST

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SUMMER 2018

LEADERSHIP & CHANGE MANAGEMENT

THE ROLE OF HUMAN RESOURCES IN THE EVOLVING MUNICIPAL WORKFORCE

HOW THE CITY OF TORONTO IS TRANSFORMING PUBLIC SERVICES FOR THE DIGITAL ERA

WHY PUBLIC SERVANTS SHOULD EMBRACE DATA SCIENCE

ADVICE ON MAKING EVERY MOMENT COUNT FROM A 'NEW' MUNICIPAL LEADER

THE CANNABIS ACT: WHAT MUNICIPALITIES SHOULD EXPECT FROM LEGALIZATION

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LEADERSHIP & CHANGE MANAGEMENT

Every government today is grappling with change. From demographic shifts and technological advancement to severe weather and crumbling infrastructure, governments at all levels must come to terms with these significant transformative forces. Change management, as a practice, is no longer a tool to be employed by governments only when a major change is taking place, whether that be the transition to a new government or the management of a local crisis. Change is now a constant, requiring change management to be embedded into public sector practices as an ongoing process, not as a project.

Who then is responsible for change management in government? Some larger organizations have the capacity to create offices or departments dedicated to change management. The City of Vaughan, north of Toronto, has an Office of Transformation and Strategy as part of the City Manager's Office. In addition to delivering Vaughan's Service Excellence Strategic Initiatives, the Office of Transformation and Strategy is responsible for corporate-wide change management. In smaller local governments, change management often falls into the hands of the City Manager or Chief Administrative Officer. In addition to keeping his or her organization operating smoothly, the CAO must plan for short term and long term change, precipitated by both internal and external forces. But for change management to be successful, leaders throughout the organization must be empowered to contribute to the process. The CAO, or the Deputy Minister at the provincial and federal levels, must demonstrate leadership by providing departmental managers with the tools and resources to plan for organizational change.

The Q2 issue of the Public Sector Digest, themed "Leadership & Change Management," features contributors from across industry and government. Each author explores a different facet of change management in government – some focusing on a specific issue, like preparing for the impact of the Cannabis Act on local governments in Canada, and others explaining how different types of leaders can contribute to change management, such as an organization's Human Resources Manager.

Our contributing authors from the GovLab provide an assessment of how a particular competency – in this case data science – can help public servants manage through change and uncertainty. The authors state that, "Institutions are moving faster to recognize the need for data literacy, but they still lack the in-house expertise to turn that data into actionable insights." Without the ability to collect and interpret data, the modern government is operating blind in making evidence-based policy decisions. In an increasingly uncertain world, data analysis skills – backed by high quality datasets – can go a long way in supporting change management efforts.

As several jurisdictions across North America approach elections this spring and summer, change will continue to be front of mind for the public sector practitioner. Will a change in government bring greater stability or more uncertainty to public sector service delivery? Now is the time for leaders across our government organizations to take stock of their existing capacity and frameworks to manage change. As always, our research and policy team at the Public Sector Digest is ready to assist any public sector practitioner with a review of best practices, jurisdictional challenges, and legislative requirements that might support or impede efforts to achieve corporate goals and mitigate the impacts of change. Our hope is that this issue can serve as a talking point for our member organizations as many of you launch new change management initiatives in the months ahead.



A handwritten signature in black ink, appearing to read "tylersutton".

TYLER SUTTON
EDITOR-IN-CHIEF

STAT SCAN

Leadership & Change Management

Referenced Bills:

- Bill C-45, the Cannabis Act (Government of Canada, 2017)
- Bill 148, Fair Workplaces, Better Jobs Act (Province of Ontario, 2017)
- Bill 36, the Local Food Act (Province of Ontario, 2013)

The Cannabis Act

- Approximately 40% of Canadian adults either consume cannabis or are open to trying it once legalized (Deloitte, "Recreational Marijuana, Insights and Opportunities", 2016)
- Deloitte projects that based upon existing and potential marijuana users, the Canadian cannabis industry can generate an approximated \$5 billion per year

Fair Workplaces, Better Jobs Act

- 2.2 million Ontario employees should receive a pay increase (93% in the private sector)
- 185,000 Ontarian jobs will be at risk due to the Act (Canadian Centre for Economic Analysis, "Assessment of the Risks and Rewards to the Ontario Economy", 2017)

The Local Food Act

- There are 175 farmers' markets registered with Farmers' Markets Ontario
- The agri-food sector generates \$45 billion annually to Ontario's GDP (Ontario Ministry of Agriculture, Food and Rural Affairs, 2016)

100

Number of state laws across 42 states that support the use of evidence-based programs and practices
(Pew-MacArthur Results First Initiative)

\$1.31b

Spending on peer-to-peer ride services and private accommodation services in Canada in 2016
(Statistics Canada, 2017)

"While leading a multi-generational workforce can certainly cause angst, it is important to adopt a more positive view – when you really think about it, there are significant advantages to a knowledgeable, well-seasoned employee collaborating with a fresh set of eyes and new perspectives."

- Amy Smith, Director of Human Resources at Oxford County

LEADERSHIP



THE ROLE OF HUMAN RESOURCES IN THE EVOLVING MUNICIPAL WORKFORCE

PSD'S SLOANE SWEAZEY IN CONVERSATION WITH AMY SMITH, OXFORD COUNTY

As municipal workforces continue to evolve, the responsibility of Human Resources becomes ever more important. The most notable shifts – changing workforce demographics, mental health awareness, and external pressures such as transparency and accountability – can have significant impact on a municipality if the changes are not acknowledged and embraced. PSD sat down with Amy Smith, Oxford County's Director of Human Resources, to discuss how exactly the workforce is changing and, most importantly, how municipalities can respond proactively.

“While everyone may have a leadership style that they naturally gravitate towards, as our workforce continues to change and evolve, it is more likely that a leader will find themselves having to adapt their leadership style based on a person or project that they are currently leading.”

Can you begin by introducing yourself and your position at Oxford County?

I am the Director of Human Resources at Oxford County, which is an upper tier municipality with approximately 800 employees. I lead a team responsible for the full range of human resources services to our seven departments and manage five collective bargaining agreements. In the past few years, we have focused our efforts on developing HR programs under three key areas: talent management, effective leaders, and safe and healthy workplaces.

What changes have you seen in the municipal sector regarding human resources management in the past couple of years?

We all know that municipalities exist to deliver essential public services to our citizens, which is achieved through critical infrastructure. However, it is essential we never lose sight of the fact that at the foundation of these services is our employees. Just as we invest in our roads and water systems, we must also invest in our people, and this is becoming more widely recognized as a priority across the municipal sector.

I am fortunate to lead the HR function in an organization that recognizes our people as a critical asset and even includes “attracting, retaining, and developing the highest quality staff” as a priority in our corporate strategic plan. With the changing demographics of our workforce and additional external pressures, programs such as succession planning and leadership development, are increasingly being viewed as priorities, as they truly are essential to maintaining our ability to achieve our strategic goals and objectives now and into the future.

How has leadership changed in the municipal sector?

Municipalities are diverse and complex. I can think of few organizations who deliver such a wide array of services and employ such a diverse range of employees, while managing multiple collective bargaining agreements. Incorporating the regular changes that come our way (think projected retirements, legislative changes) and the requirement for competent and well-rounded leaders across the organization is no longer viewed as an option, but as a necessity.

In the past, employees may have worked their way up the ranks based on technical expertise. Today, while technical expertise remains important, equally if not more important is the manner in which you lead, inspire, and motivate the people around you.

With a wave of retirements projected over the coming years, I have also seen a shift towards investing in leadership development not only for current leaders/managers, but also

for those we call “emerging leaders.” This is a key component of our succession planning efforts. Our philosophy remains that leadership development is a two-way street. As an organization, we invest in our people by offering them tools and resources to develop their leadership capabilities; however, there is also an onus on the individual to take the steps necessary to ready themselves for future career opportunities.

What steps are necessary to ensure that leaders receive the development necessary to lead, inspire, and motivate those around them?

First and foremost, leaders need to know what is expected of them. With this in mind, one of the first steps that Oxford County took in formalizing our leadership development efforts was the implementation of a competency framework. This framework includes core competencies and leadership competencies, and are behaviours that are expected of all employees and leaders across our organization. In terms of leadership competencies, there are key qualities of effective leaders – whether those leaders work in public works, corporate services, or long-term care for example.

Another key step in a leadership development program is building self-awareness around one’s leadership strengths and weaknesses. Leaders should know where their skills and abilities rank against expectations, and where they require development. Following the implementation of our competency framework, leaders across our organization completed a 360 developmental assessment, in which they received confidential feedback from their supervisor, peers, and subordinates. Leaders received a confidential report revealing how they benchmark against our leadership competencies, which provided the insight necessary to know where they needed to focus their development efforts.

What leadership and management style do you find to be most effective at ensuring that the evolving workforce is productive and efficient?

By doing a quick online search, you will turn up a wealth of information regarding various leadership styles. While it may be tempting to label oneself as a specific type of leader, it is important to recognize that certain situations or people may warrant one leadership style over another. While everyone may have a leadership style that they naturally gravitate towards, as our workforce continues to change and evolve, it is more likely that a leader will find themselves having to adapt their leadership style based on a person or project that they are currently leading.

If I had to choose one leadership quality that I personally believe is critical in today’s changing workplaces it would be resiliency. Holding a leadership role in a municipality is synonymous with change and adversity. Being a resilient leader means working through challenging times with a positive mindset and coming out the other side with lessons learned and new experience to rely on. It certainly does not mean never making the wrong decision or never feeling discouraged, but it does mean quickly bouncing back from these difficult times as a more competent leader. Although just one trait from a long list of critical leadership qualities, being a resilient leader will certainly assist in ensuring the evolving workforce is productive and efficient.

What emerging human resources programs do you find to be most effective at ensuring that the evolving workforce is well supported and well managed?

One program that we have implemented under our safe and healthy workplaces umbrella is a flexible work arrangement program. Flexible work arrangements, such as working

from home, flexible hours, and compressed schedules are not new concepts in the human resources field; however, they have been slower to emerge in the municipal sector. With our changing workforce demographics and the abundance of technology that enables our day to day work, flexible work arrangements are in fact allowing us to be more productive and efficient. Providing employees with the flexibility required to meet their work and personal demands, will result in a more productive employee who is regularly willing to go above and beyond for the organization.

Another area we are looking at developing over the next year is a psychological health and safety in the workplace framework. For years, the primary focus in our workplaces has been on physical safety, and while that remains critically important, the creation of a psychologically safe workplace is also emerging as a priority. Mental health claims make up a significant percentage of workplace leaves; therefore, identifying and reducing the workplace risks of psychological injury or illness and supporting mental wellness can greatly benefit employees and the organization overall.

What is the best approach to ensure that both younger and older public sector practitioners work in partnership to ensure the greatest productivity and efficiency?

There is a lot of information that can be found regarding the current multi-generational workforce and the potential issues that can result between the generations. While leading a multi-generational workforce can certainly cause angst, it is important to adopt a more positive view – when you really think about it, there are significant advantages to a knowledgeable, well-seasoned employee collaborating with a fresh set of eyes and new perspectives. Organizations should ensure that all employees are provided with the tools and resources to work together effectively (regardless of the year they were born). Along those same lines, leaders need to be equipped with the skills to lead multi-generational teams, which can be achieved through education and training.

As a municipal HR professional, what is your most difficult challenge as the workforce and workplace continue to evolve?

As already mentioned, municipalities are diverse, complex, and ever changing. These factors alone lead to challenges from a human resources management perspective; namely, that a one size fits all approach doesn't always work. Take the recent Bill 148 as an example. Most municipalities have a number of distinct services and multiple collective agreements. This means that a legislative change, such as Bill 148, requires HR professionals to analyze the impact on each service and each collective agreement. Taking a blanket approach across the organization is not feasible due to the uniqueness of the various services, and this creates challenges for HR professionals.

Bill 148, Fair Workplaces, Better Jobs Act was passed in the Province of Ontario in 2017. The intention of the bill is to enhance the opportunity and security for employees as the workforce becomes more precarious with part-time, contract, and minimum-wage work. A key change that was made was raising the minimum wage, as well as fairer scheduling rules and expanded personal emergency leave. More information can be found at www.ontario.ca.

“While leading a multi-generational workforce can certainly cause angst, it is important to adopt a more positive view – when you really think about it, there are significant advantages to a knowledgeable, well-seasoned employee collaborating with a fresh set of eyes and new perspectives. Organizations should ensure that all employees are provided with the tools and resources to work together effectively (regardless of the year they were born). Along those same lines, leaders need to be equipped with the skills to lead multi-generational teams, which can be achieved through education and training.”

What do you expect the municipal workplace and workforce to look like in ten years?

Municipalities continue to be seen as desirable employers. Over the next ten years, it is expected that the competition for talent will continue to increase. Being the municipality of choice for current and potential employees means building and maintaining a work environment that people want to join and remain committed to.

Municipalities need to recognize human capital as a strategic asset, and thus invest in those assets. This is key to obtaining the goals and objectives of an organization and needs to be made a priority. It is also expected that municipalities will continue to get pressure to do more with less. This means increased workloads and higher expectations placed on staff. If municipalities want to attract and retain the best employees to carry out the critical services their citizens rely on, they need to ensure human resources programs, such as talent management, developing effective leaders, and safe and healthy workplaces, are dynamic and continue to evolve with the changing workplace and workforce demographics.



SLOANE SWEAZEY, MA is a Junior Editor for the Public Sector Digest. She completed her master's degree in Political Science, specializing in Public Policy and Administration, as well as a Bachelor's Degree in Political Science and International Development, both from the University of Guelph. Sloane's research interests surround municipal governance and public policy, where she has researched community-engagement initiatives and child care policy at length. In her role, Sloane researches and writes articles for publication, while also sourcing content from external contributors. She can be reached at ssweazey@publicsectordigest.com.



AMY SMITH is a human resources professional with almost 15 years of experience in the not-for-profit and municipal sectors. She holds a Bachelor's degree in Sociology from Western University, and is a Certified Human Resources Leader (CHRL). For the past 5 years she has been the Director of Human Resources at Oxford County, leading a team delivering the full spectrum of HR services, with a primary goal of strategically positioning Oxford County as an organization who attracts, retains and develops the best employees.

LEADERSHIP



ADVICE FROM A ‘NEW’ MUNICIPAL LEADER: HOW TO MAKE EVERY MOMENT COUNT IN THE CHANGING MUNICIPAL WORKPLACE

CATALINA BLUMENBERG, TOWNSHIP OF UXBRIDGE

The local government landscape is continually changing, and unlocking the potential in yourself, your department, and municipality as a whole has never been timelier. As a public sector practitioner beginning my career, this article is a product of the power of having incredible mentors. The advice referenced below comes from the lessons I have learned, and the leadership skills I value in myself and others.

As such, this article is a collaborative effort of the larger government community and will help you unlock your potential as a leader and make every moment count.

I. BE PREPARED - TRY TO “PACK” FOR WHATEVER CHALLENGES MAY LAY AHEAD

Being prepared means knowing what you want to accomplish. This sounds simple, but it is a fundamental step that tends to be a neglected aspect of being prepared. How many times have you met with a client, or led a meeting, but did not take the time to come up with clear expectations of what you wanted to accomplish? If we are all honest, we can admit that there have been times we have been unprepared and as a result, did not accomplish what we set out to do.

Broadly, there are two categories of things to prepare for: what can be expected and those that cannot be expected. The easier thing to prepare for is what can be reasonably expected. For example, if you have two reports on the Council agenda, you can prepare the data and talking points for both reports. On the other hand, being prepared for the unexpected means trusting your values and demonstrating that you are confident and on-task for the delivery of what you might not have predicted, and in the message you are trying to convey.

II. THINK ABOUT THE WORLD THAT IS AND THE WORLD THAT’S COMING

In our increasingly fast-paced and interconnected world, policymaking is becoming more complex and challenging. As such, it is vital that we think about shaping the future, and not just reacting to it. Municipalities cannot make decisions thinking solely about geographical borders. Rather, policies need to be made with a ‘big picture’ perspective. This worldly perspective must be interwoven in the organizational culture, applied to all departments, and instilled in public servants.

An example of this is the sharing economy – which can be defined as activities facilitated by digital platforms where people rent their skills (such as, driving or computer skills) and make their resources (such as properties or cars) available for money. The sharing economy plays an increasingly important role in the Canadian economy. As per Statistics Canada, from November 2015 to October 2016, an estimated 9.5 percent of persons (or 2.7 million people) aged 18 and older living in Canada participated in the sharing economy. Overall, spending on peer-to-peer ride services in Canada and spending on private accommodation services totaled \$1.31 billion.¹

It is important for municipalities to consider their role in the sharing economy by analyzing challenges/opportunities, and to think about the world that is and the world that’s coming. I see many communities and public service practitioners, as well as organizations like PSD, having this perspective of thinking about the world that is and the world that’s coming which is vital in our constantly evolving municipal sector.

III. CURIOSITY - THE RIGHT CURIOSITY NEVER KILLED THE CAT

People who are curious tend to drive organizations forward and challenge others to do the same. Over the years, I’ve found that people who are inherently curious ask questions, search for creative ways to accomplish tasks, and are strong team players. Curious people

seek out knowledge from different parts of the organization and apply what they learn to their daily responsibilities.

My curiosity led me to discover a gap in knowledge about municipal government among youth. I wanted to leverage existing avenues to examine how my department could close the gap. This resulted in co-creating a youth engagement plan to foster civic engagement with the local school boards. I began a pilot project and made interactive presentations regarding local government at the primary and secondary levels. I also developed a “price is right” game to teach students the value of municipal projects and what they actually cost. This youth engagement initiative has continued to evolve into programming that is focused on the role of government, responsible citizenship, and to demonstrate how governments and citizens can work together. These interactive sessions are fun, and I am always impressed with the student’s curiosity and outlook on government.

IV. ETHICS – DO THE RIGHT THING

Ethics matter; your peers, staff, and residents expect ethical behaviour. The principal goal of government ethics is to increase the public’s trust in government and, thereby, increase citizen participation in the organization that manages their community.² Responsible, ethical behaviour is inherent in the concept of municipal employees as professionals. Public servants and politicians make a commitment to serve the public interest, and as a result are subject to internal or self-regulation through adherence to ethical or moral standards of their own. Despite the importance of ethics, doing the right thing is not always the standard and speaking truth to power can be risky.

I try to practice ‘everyday ethical leadership’ in my day-to-day because ethics and transparency go hand in hand. It needs to be recognized that every significant decision has ethical dimensions, so when all the options in response to a particular situation are being analyzed, they must include the question of right/wrong. Therefore, be open and honest with your communications on the street, in the office, and council chamber because it’s vital in making every moment count.

V. COLLABORATION - SHARED LEADERSHIP IS ALL THE RAGE

Top-down leadership alone will never make the differences we require in our communities. Shared leadership is not just about creating committees to give advice to Council; shared leadership and collaboration rests on the guiding principle that everyone’s voice matters. Everyone’s experience and expertise are necessary for municipalities to work effectively, and that the ideas created by a group are much stronger than those that could be created by any individual.

Collaboration means that my attitudes, my beliefs, and my actions are impacted and enhanced because of the work we are all doing together. Collaboration needs to be blended into the fabric of an organization. “What can I do to help?” should be a question asked laterally in an organization. Co-workers across departments or organizations in different sectors can collaborate to loan their time, energy, and expertise to those who need it. This can enable talent and resources to flow freely, which keeps the municipality moving forward.



VI. RESULTS - SHOW YOUR WORK

Show your work and measure your success. Results are tied to accountability and demonstrating that you are accountable to your departmental goals, the organization, and more importantly, the public. Results also confirm that the municipality is not removed from this accountability. Construct a process where you build program indicators, objectives, and data to support the findings in the work that you complete. The most successful people crave constant feedback and I go out of my way to create a platform for this feedback to be communicated to me and then incorporated into my results.

Showing your results builds an evaluation culture that ensures the work you are completing actually performs the purpose it was designed for... and if it *doesn't*, go back to the drawing board. Focusing on results can allow you to easily see how the program or initiative can be improved. As long as you showed Council and the public your results, even if they weren't positive or successful, there is still a lot to gain from that.

VII. CONCLUSION

Some ideas can withstand the test of time – do not be afraid to share them. In 2016, I entered the PSD-CAMA Essay Competition in Municipal Government with a paper about the implications of cannabis legalization for municipalities, advocating for a shared funding model for tax revenue. In March 2018, it was announced that the federal government will share the tax revenue from legalization with provincial/territorial and local governments on a per capita basis as I advocated in my paper. The skills outlined in this article can help you capitalize on windows of opportunity to position yourself as an authentic leader in your organization and ensure that you're able to make every moment count in your career.



CATALINA BLUMENBERG is a recent Masters of Public Administration graduate from Western University and a Deputy Clerk with the Township of Uxbridge. Catalina loves local government as it is all things to all people, and her interests include meaningful civic engagement, multi-governmental partnerships, and municipal finance.

LEADERSHIP



HOW THE CITY OF TORONTO IS TRANSFORMING PUBLIC SERVICES FOR THE DIGITAL ERA

GIULIANA CARBONE, CITY OF TORONTO

Toronto is an evolving and culturally vibrant city. Across its distinct neighbourhoods, and diverse and multilingual communities, Toronto's residents, businesses, and visitors have many different needs from public services and these needs are changing. I have been a public servant for over 30 years and throughout my career, I have seen a significant shift in the way the City of Toronto serves the public. Toronto is one of the most diverse cities in the world and this is reflected in the City's motto: "Diversity, Our Strength." Providing excellent public services that are accessible and equitable to our diverse residents and removes barriers to full participation has always been a core value of the Toronto Public Service. However, now more than ever with the City engaged in a corporate-wide excellence journey, there is an even greater commitment to continuously improve our services and customer experience through modernization and online services.

This modernization is rooted in delivering services to the public in a way that improves the quality of life in Toronto for all those who live, work, and play here. To enable this modernization, City leaders have placed a strong emphasis on transforming the culture around customer experience including how we understand our customers' needs, leverage their experiences to prioritize and improve services, and offer customers more options to access public services through online channels.

I. UNDERSTANDING CUSTOMER NEEDS

The City of Toronto prides itself on delivering exceptional, equitable, and accessible customer service and experience to Toronto's diverse public. Across City divisions, there are teams dedicated to transforming and improving customer experience both now and in the future. However, this transformation can only be achieved by understanding our customers and deliberately taking time to engage and listen to their needs and wants.

The City took this approach when it redeveloped its website – toronto.ca – which launched in December 2017. This project was a significant undertaking and the City actively sought feedback from the public to understand their needs and how they use the City's website to find information and access services. The City recruited over 800 Digital Citizen Advisors, a group of Toronto residents who shared their input through surveys, focus groups, online consultations, and one-on-one interactive user interviews. This engagement helped the City to design and develop an AODA-compliant citizen-centric website that reflects the needs of Torontonians and provides a much-needed accessible platform to enable greater online service delivery – a growing expectation from the public.

II. LEVERAGING OUR CUSTOMERS' EXPERTISE

Our customers are the experts of their customer experience and they are critical partners in helping us to prioritize and improve services. A key aspect of the City's customer experience transformation focuses on understanding and improving our customers' journeys, through a process called journey mapping. From start to finish, this process maps each step a customer has to take to access a City service. By understanding the lived experiences of many different customers, we can identify any pain points they face along the way. This helps us to focus improvement efforts around the barriers our customers experience and we can address issues to ensure the experience is easier and considerate of our customers' needs. It also provides insight into what the City should prioritize when it comes to inclusive service delivery.

In 2016, the City initiated a project to improve the experience of customers registering for camps and recreation programs online. Based on the challenges customers experienced when trying to register for these programs, the City identified that by improving the site's navigation and increasing the online server capacity, customers could register quickly and easily. As a result of these improvements, more than 33,000 registrations can be completed in about 15 minutes now, whereas in 2009, it took over three hours to complete the same number. Feedback from the public has been incredibly positive as a result of these service improvements.

III. INCREASING CHOICE THROUGH ONLINE SERVICE DELIVERY

By understanding our customers, their diverse needs, and how their journeys can be improved, the City recognizes the importance of offering greater choice in service delivery. Our customers have become accustomed to accessing many different services online with a few clicks and expect the same from the public service. A critical part of the City's public service modernization is making more services available online, which allows the public to have greater flexibility in how and when they access services. As technology continues to advance, we are committed to advancing with it to transform our services to make it easier, faster, and more convenient for the public to access services through their preferred channel.

Recognizing there are some things in life that are not worth waiting in line for, last summer the City introduced a new service to dispute parking violations through an online channel. Previously, drivers wanting to dispute a ticket would request a court date, wait for months to receive their date, and then show up in person and wait to dispute their ticket. This new online dispute service was part of a larger change where the City now manages the dispute process for parking violations instead of having the provincial court system hear these disputes. This service allows residents to dispute a parking violation, 24/7, from the comfort of their home, and receive a resolution in a much shorter timeframe. If they prefer to dispute the violation in person, they can book an appointment online for a time that's convenient for them. This reflects how the City is transforming to offer customers more choices to access services in a way that works best for them. Since its launch in August 2017 the program has received positive feedback for its fast resolutions, ease of use, and convenience.

Offering more choice in service delivery helps provide equitable access and can greatly improve customer experience across all the other service channels. While some residents prefer to access services or complete transactions in person or over the phone, by offering more services online, it can alleviate the traffic and wait times for all customers. The City's move to sell ferry tickets to the Toronto Islands online is a perfect example of how a new online channel helped to reduce in-person wait times. Previously, customers could experience a wait on a sunny day to purchase a ticket, but with the ability to buy tickets online, that traffic is greatly reduced. Other online service delivery is simply focused on making services easy and convenient for our customers to access. The City now offers residents the option to update their mailing address for bills online instead of through a mailed-in request. Other services offered online include building permit applications and, coming soon, parking permit applications.

While there is still much work to be done to further advance the City's customer experience transformation and expand online service offerings to benefit our diverse residents, businesses, and visitors, it is a top priority. The City is an evolving organization that is committed to providing excellent public service to our culturally vibrant public – who have different backgrounds, religions, languages, economic-status, genders, and abilities – but all call Toronto home. As we look to the future, it's important that we continue to build capacity in these areas to improve how we operate and serve the public – one community, one person, one click at a time.



GIULIANA CARBONE was appointed Interim City Manager for the City of Toronto on April 4, 2018. A Certified Public Accountant with over 30 years of management experience with the City of Toronto and former city of North York, Giuliana has been the Deputy City Manager for the City's Social and Community Services cluster since June 2015. Prior to her appointment as Deputy City Manager, Giuliana was the City Treasurer for six years after a successful term as Director, Revenue Services for 10 years. From 1984 to 1998, Giuliana worked as the Director of Administrative Services for the former City of North York's Public Health Department.



GLOBAL LEADERSHIP THROUGH DATA: THE CASE OF HEALTH CARE IN CANADA

SACHIN AGGARWAL, THINK RESEARCH

Canadians are sleepwalking into a new reality, one that has been exploited successfully by today's mega firms — Google, Facebook, Amazon, Uber, and others — for more than a decade. For most commercial firms, if not all, data is the critical capital input to tomorrow's economy. In this data-driven economy, data has properties that are entirely different from how resources have previously been conceptualized. Data, unlike a traditional commodity such as oil, increases in value as it becomes more abundant. This effect can be multiplied almost infinitely when data is combined across multiple distinct data sets. As such, data should be considered not as one asset class, but as an infinite series of asset classes, rising and falling in value across multiple dimensions. The consequence is that when making policy, governments will need to consider different sectors in the data-driven economy as individual components of a larger, interconnected domain.

Traditionally, Canadian governments have taken an administrative or regulatory stance on the data of citizens. Ambivalent about using data as an economic opportunity, governments have prioritized privacy and security over data's potential to spur growth. But when it comes to data, innovation, and wealth generation, governments stand to reap the same economic benefits as domestic commercial firms.

Due to its strong public sector policies, such as universal health care, Canada controls a tremendous amount of data, providing us with a unique advantage in staking out a global leadership position.

This paper, using the Canadian health care system as an example, will explore the opportunity that exists in owning large amounts of data, along with the policies in place that reward those who can access it in order to innovate.

I. THE DATA SCIENCE OF HEALTH CARE

Canadian innovation in health care has come a long way from the discovery of insulin in 1921, and rapid advances in technology are changing how we think about health care. The cost of gathering copious amounts of real-time data is declining by orders of magnitude. As revealed by a Dell EMC study,¹ the volume of this data is growing exponentially (48 percent per year) and is estimated to reach over 2000 exabytes by 2020, more than one million times larger than the Library of Congress' data holdings. This data is generated by a growing number of sources, transforming how medical knowledge is created and, in turn, how health care is provided.

In health care, unlocking the potential value of data will depend on the implementation of new policies, standards, and technologies to facilitate open, structured, and secure data sharing within a regulatory framework that protects individual rights.

II. A CASE FOR CANADA

The benefits of data interchange include: increasing the operational efficiency of care; better monitoring of emerging epidemiological trends; improved clinical decision making and risk management; delivery of effective personalized medicine; enabling AI application and machine learning; and accelerating medical research. Investments that facilitate access, manipulation, and analysis of health data assets will also generate large amounts of commercial intellectual property (IP). Ultimately, those who own large parts of the medical information life cycle, or those who can access it in order to innovate, will be the economic winners.

While Canadian industry lags behind its southern neighbour in the first generation of industries in the data-driven economy (search, self-driving vehicles, social networks, etc.), we have a structural competitive advantage in health care. As revealed by the Canadian Institute for Health Information (CIHI) in 2016, health care is the largest sector of the Canadian economy, representing over 11 percent of the country's GDP and approximately 38 percent of an average provincial budget.² Of Canada's expected \$242 billion health care expenditure in 2017, 70 percent is funded through its public health care system.³ This fundamentally single-payer structure creates an effective mechanism to advance a collective health data economy.

Canada's predominately public system, and other intrinsic national characteristics that arise from this structure, offers the following competitive advantages:

- **The ability to drive policy and standards through procurement.** Health care organizations and governments are required to conduct open procurements for goods and services, which enforce compliance with Canadian data regulations.
- **Advanced data access and sharing through centralized health care systems.** Many Canadian provinces and territories directly administer health care delivery to their populations, which can support better care through effective supply chain management and expansive data collection.
- **Pan-Canadian health care organizations with mandates to set national standards, collect data, and accelerate innovation.** Organizations such as CIHI and Canada Health Infoway (CHI) collect and disseminate data sets and establish interoperability standards across the country, laying the foundation for an open, collective health data ecosystem.
- **The collaborative spirit of Canadian health care.** There is an essential cooperative ethos in Canadian health care, with private sector businesses collaborating to make data intelligible and actionable across multiple siloed information technology systems and vendor products.
- **Large, diverse group of Canadian people for population health insights.** Canada's diversity — the genetic, cultural, and socio-economic variety of its people — is a rich, variable data pool that can be leveraged (while upholding personal privacy and protections).
- **Excellence in AI and machine learning.** As a world leader in AI and machine learning education, Canada has the infrastructure, knowledge, and people to develop the world's most advanced clinical algorithms to sustain health improvement and innovation.

In Canada, the discourse on data has become a tug-of-war between individual rights and private commercial interests. Governments only had to draw one line — privacy. Once the individual's privacy rights were encircled through constitutional interpretation and privacy regulation, the rest was left to private commercial opportunity. Canadian governments have traditionally taken an administrative or regulatory stance on the health data of individuals and have shied away from harnessing this data's economic potential.

To fully consider the policy implications of health data in a single-payer health context, this two-way framework must be extended to consider the *collective interest*, as distinct from individual and private commercial interest.

III. A NEW SOCIAL CONTRACT WITH CITIZENS

Health data is among the most private and personal of all data. However, a majority of it is not under the deliberate control of the individual. As firms create new ways to exploit personal data, courts and legislatures around the world are extending individual privacy

rights and protections. In the European Union, this has recently taken the form of the General Data Protection Regulation (GDPR), which puts significant obligations on firms to protect personal data, including personal health information (PHI). It also provides for individual rights over data and its use, storage and, notably, destruction (described in article 17 as the “right to erasure”).⁴

Conversely, the United States maintains low privacy protections for the personal information of foreign citizens, creating a “policy arbitrage” between Canada and the country where a significant portion of Canadians’ personal information is stored. Section 14 of US Executive Order 13768, entitled *Enhancing Public Safety in the Interior of the United States* states: “Agencies shall, to the extent consistent with applicable law, ensure that their privacy policies exclude persons who are not U.S. citizens or lawful permanent residents from the protections of the Privacy Act regarding personally identifiable information.”⁵ As such, US firms can do more with the personal information of Canadians that is stored in the United States than they can with the personal information of Americans.

As firms use PHI to generate private wealth, individuals will rightly question their data rights. To that end, any data strategy in health care must begin first with a new social contract between the people providing PHI, the firms that collect it, and the governments that pay for it.

While not exhaustive, the following is an outline of principles to be considered in this new social contract, in particular as it relates to the 70 percent of health care costs paid for by the government:

- **The individual must have the right to control their PHI.** The health care system must allow individuals control over their PHI, instead of acting as filters or gatekeepers of that access.
- **The individual must have the right to consent to the secondary use of their anonymized PHI.** Technology firms should be held accountable for enshrining individual rights of control over secondary use in their systems.
- **Firms must disclose to individuals the intended secondary use of their data at the time of consent.** However, this should not be as narrow as provided for under the GDPR, as today’s technologists may not understand the potential value for a set of data tomorrow.
- **The penalties for privacy breaches should be severe and transparent to individuals.** This is especially true in cases of misconduct or negligence.
- **Due to policy arbitrage between nations, Canadian PHI should remain in Canada.** Until international or bilateral rules are developed, Canadians must look to domestic courts and lawmakers for restitution and enforcement.

IV. ACTING ON OUR COLLECTIVE INTERESTS IN HEALTH DATA

To fully understand the need for collective action with respect to health data, one must first understand the important distinction between ownership and control. In health care, where PHI may belong to the individual, *control* of the data dictates access and secondary

use. As shown in Figures 1 and 2, innovation from data follows a simple pattern, using statistical analysis, machine learning, deep learning, and so on.



Figure 1. Singular Control of a Unique Data Set

Source: Think Research

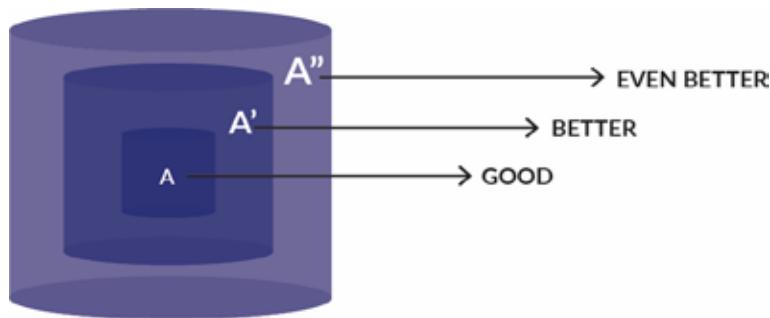


Figure 2. The Exponential Effect of Increasing Data

Source: Think Research

When a single firm controls a unique data set, it can charge high rents for access to the (potentially life-saving) algorithm. As a result, vast amounts of health data remain isolated and underutilized. Limiting access to data also reduces the possible innovation from that data. More data leads to better algorithms and insights. This effect is multiplied when multiple types of data are combined. Consider Figures 3 and 4:

To deliver the best possible care, both large numbers of shared data sets and innovators accessing this data are needed. Canada can capitalize on its strategic position to make this a reality, in health care and beyond, through a thoughtful exercise pertaining to regulations and purchasing power. This might involve the following:

- **Use federal and provincial health purchasing power to unlock health data for the benefit of all.** Subject to individual rights in opting out, all health data generated as a result of public spending should be made publicly available in an anonymized fashion at zero or nominal cost.
- **A rules-based access framework must be created for this data.** Firms must demonstrate the ability to securely manage data, perhaps through certification or contractual means.

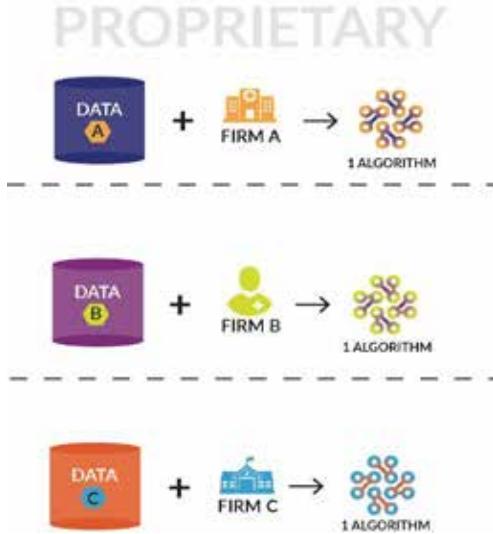


Figure 3. Value of Combining Data Sets

Source: Think Research



Figure 4. Combining Multiple Data Sets, Multiplying Value and Insights

Source: Think Research

- **Data should be retained for lifetimes or longer.** As machine learning matures, previous stores of data will prove valuable in solving problems and yielding potentially life-saving insights.
- **Accelerate the development of health data standards and require that publicly procured technologies conform or adjust to them.** The Health Standards Organization and the Standards Council of Canada should be empowered to continuously develop and refine standards.
- **Access to this data should follow the principle of benefit to Canadian society.** Canadian firms, or firms that provide access to their own data, should

gain the greatest benefit. This may lead to variable pricing for access (low for domestic firms and higher for foreign firms).

- **Certain uses of health care data compromise trust in disproportion to their benefit.** Access should be subject to regulations that limit certain behaviour. These may include banning the re-identification of individuals using anonymized data and limiting the use of data for activities such as marketing.

V. BROADER POLICY IMPLICATIONS

The implications of the data-driven economy in health care will extend far beyond the discussion in these pages. Every aspect of health delivery will be impacted:

- **Reimbursement schedules will need to become agile.** Regulatory cycles relating to clinician reimbursement will need to be measured in months rather than decades.
- **A new approach to regulating data-driven machine algorithms will be needed.** The pace of algorithm development will outstrip our ability to understand, regulate, and monitor, so we must take a risk-based review and disclosure approach.
- **The health care workforce of the future will be unrecognizable.** With machine intelligence, certain clinicians (nurses, pharmacists, physician assistants and personal support workers) will be able to deliver the majority of care. Physicians will consolidate into super-specialists, and there will be a dramatic increase in technicians, engineers, and technologists.

VI. TIME TO ACT

Every year in Canada, billions of dollars are spent in public sector industries, including health care. Due to its strong public sector policies, Canada controls a wellspring of data, providing us with a unique opportunity to stake out a global leadership position. Those who own the largest parts of the medical information life cycle or those who can access it in order to innovate will be the economic winners. The same holds true for other sectors: an incredible opportunity exists in owning large amounts of data, and Canada's public sector policies reward those who can access data in order to innovate.

The future of health care delivery will be data-driven, scientific, and increasingly personalized. Eventually, the accumulation of data will shift health care from reactive to preventative; adjusting our behaviour, our biome, and perhaps even our genome. We can act now, lead in our collective interest and create the foundation to develop world-class data-driven innovations, or we can let this opportunity pass us by and continue to pay rent for our own data.



SACHIN AGGARWAL is the chief executive officer of Think Research, a leading provider of evidence-based clinical decision support tools with a focused mission: to organize the world's health knowledge so everyone receives the best care. A recipient of Canada's Top 40 Under 40 Award in 2017, Sachin currently sits on the board of the Council of Canadian Innovators and has served on the board of directors for various community outreach programs. Sachin holds a law degree from the University of Toronto and an MBA from the Rotman School of Management.



THE EVOLVING (AND INCREASINGLY CRUCIAL) ROLE OF ADMINISTRATIVE PROFESSIONALS

KOULA VASIOPOULOS, OFFICETEAM

Agood assistant is worth their weight in gold, and while many of their contributions are immeasurable, some have recently been quantified in a new survey from staffing firm OfficeTeam. Senior managers report that their administrative professional's efforts save them an average of 101 minutes a day. That's more than eight hours each week — **the equivalent of a full work day**. In addition, all survey respondents reported that their administrative professional is important to their success at work. Nearly two-thirds (64 percent) of them said their assistant's contributions are very valuable.

“Only 43 percent of those surveyed said that their current manager takes advantage of their full range of skills, revealing tremendous untapped potential.”

Administrative professionals not only have to keep everything they’re working on organized and on track, but they’re often responsible for making sure executives and team members stay on schedule too. Some of the many ways administrative assistants save their managers time include:

- Organizing their schedules
 - Responding to emails or attending meetings on their behalf
 - Screening their phone calls
 - Analyzing data and creating reports
 - Proactively offering solutions to issues or challenges
-

I. HOW THE ROLE HAS CHANGED

In the past, the main requirements for support staff roles used to be typing/word processing skills, and knowledge of business telephone systems. Today’s administrative professionals are tasked with a growing list of varied and complicated duties, from data analysis, management, and fiscal responsibilities, to hiring and training. Three in four senior managers (75 percent) said office support workers’ responsibilities have increased in the past five years. In addition, 64 percent feel administrative professionals have a more promising career-growth track than five years ago.

The expansion of administrative professional responsibilities can be attributed to economic changes and rapid advancements in technology. When companies are forced to make cutbacks, administrative assistants often take on the responsibilities of middle management in addition to their regular tasks. Consequently, the day-to-day duties of administrative professionals have expanded to include things like making purchasing and budgeting decisions, planning company events, and training employees to use software.

It’s not uncommon for support staff to help on things outside their traditional job descriptions. According to OfficeTeam’s Office of the Future survey, support staff are assisting in expanding areas that include:

- **Event planning.** Administrative professionals are pitching in to plan morale-boosting events like office celebrations, award programs, and team-building activities. They’re also playing a role in organizing mission-critical corporate on- and off-site gatherings, client functions, virtual meetings, and conferences.
- **Cost control.** Many administrative professionals already help to identify costly inefficiencies, negotiate with vendors, and streamline procedures.

- **Technology.** Administrative personnel are often early adopters of new hardware and software. They frequently train others on technology and field common technical questions.
- **Social media.** Organizations may tap administrative professionals for help with updating company profile information or images, monitoring user comments or feedback, writing social media posts or monitoring competitor activity.
- **Hiring.** Administrative professionals are assisting their companies in hiring personnel by interviewing candidates, updating job descriptions, screening resumes, and posting employment ads.
- **Corporate social responsibility.** Support staff are helping their firms organize volunteer activities such as community service projects and food and clothing drives. They also play a role in coordinating fundraisers for nonprofit organizations (i.e., charity runs/walks/bike rides) and environmental initiatives (i.e., group beach clean-ups or recycling programs).

Additional findings from the **Office of the Future** survey revealed that support staff skills are often underutilized. Only 43 percent of those surveyed said that their current manager takes advantage of their full range of skills, revealing tremendous untapped potential. Administrative professionals also have transferable skills that can benefit an organization's various departments. Executives surveyed identified finance and HR as among the top areas office support workers are most likely to transition into. Per the survey, administrative professionals would also like the opportunity to help their teams with:

- Budgeting, purchasing and contracts
 - Business development
 - Customer service
 - Development of corporate policies and procedures
 - Employee benefits and perks
 - Employee onboarding
 - Employee recognition
 - Investor relations
 - Marketing and public relations
 - Mentor programs
 - Office safety
 - Program management
 - Staff training and development
 - Strategic planning
 - Website and collateral design
-

II. TOP SKILLS IN DEMAND FOR ADMINISTRATIVE PROFESSIONALS

As administrative assistants' responsibilities increase, the skills and attributes that define a top-notch administrative professional expand as well. Here's a look at some of the enhanced skills employers look for today when seeking top talent for administrative assistant jobs:

1. **Stronger communication skills.** Now more than ever, employers seek administrative assistants who possess strong verbal and written communication skills. Administrative professionals interact constantly with a broad range of people, including vendors, clients and employees, so it's imperative that they be articulate. The demand for English and French bilingual administrative professionals has also increased.
 2. **Broad technology skills.** The workplace has experienced a boom in technology usage over the last decade, and administrative professionals have had to expand their skills to keep up. The roles of administrative assistants have evolved from conquering spreadsheets and memos to include areas such as accounting, payroll and HR applications. Word processing skills are still necessary for administrative assistant jobs, but they're just one piece of a larger skillset. The technology and software skills top-notch administrative professionals should now possess include:
 - Knowledge of design and layout software such as Microsoft Publisher and Adobe Photoshop and InDesign
 - Expertise with web-based tools like Concur for making travel arrangements and keeping track of travel expenses
 - Advanced proficiency with Microsoft Office, including Word, Excel, Outlook and PowerPoint
 - A working knowledge of social media, such as Facebook, LinkedIn, Twitter, Instagram and Pinterest, to help companies build their online reputations
 - Familiarity with database management software, such as Microsoft Access and FileMaker Pro
 - Excellent Internet research capabilities
 3. **Previous industry experience.** Organizations in niche sectors, like healthcare, real estate, manufacturing, or construction, often prefer candidates with an industry background. When you hire within the industry or public sector, administrative professionals are often already adept at that industry's or organization's specific software, so they require little or no training. They can also keep up with and contribute to office conversations because they're familiar with terminology.
-

III. RECOGNIZE ADMINISTRATIVE STAFF FOR THEIR CONTRIBUTIONS

Why is employee recognition so important? Staff work happier and are much more likely to stay at your company if their efforts are valued and acknowledged. In fact, two in three employees (66 percent) said it's likely they would leave their current position if they didn't feel appreciated by their manager.

There's a lot that employers can do when it comes to keeping employees happy, especially with regards to showing appreciation. Canada ranked fifth out of eight countries in an international study of employee happiness, according to research released by Robert Half. Clearly, there's room for improvement.

The results are published in a new report: It's Time We All Work Happy™: The Secrets of the Happiest Companies and Employees. For the study, Robert Half worked with leading happiness and well-being expert Nic Marks and Saamah Abdallah of Happiness Works. Marks' team evaluated the levels of employee happiness among more than 23,000 working professionals across Europe, North America and Australia. According to findings from the survey, the top three drivers of employee happiness in Canada are:

1. Having pride in one's company
2. Feeling appreciated for the work they do
3. Being treated with fairness and respect

Celebrating the accomplishments of administrative staff can help fuel these three drivers of workplace happiness. Some easy ways to show gratitude for their efforts include:

- **Say thanks.** Regularly acknowledge employees' great work verbally. Point out how their efforts will help the company or assist clients and customers.
- **Celebrate milestones.** Organize team lunches or off-site outings to recognize the completion of projects or special events, such as work anniversaries.
- **Spread the word.** Share a message sent by a customer or other stakeholder lauding the work of a fellow staff member. Feature standout employees in the company newsletter or recognize them at a staff meeting.
- **Give a little.** Offer gift cards, movie passes, or sporting event tickets to employees who go above and beyond on a project. Consider giving extra time off or vacation days for a job well done.
- **Encourage professional development.** Reimburse staff for participation in industry associations and conferences. Offer tuition assistance for courses that will help employees in their jobs, and subsidize the cost of exams required to attain professional certifications.
- **Develop leaders.** Recognize an employee's skills by asking him or her to mentor others. Have a policy of promoting from within, and make sure staff members know there's a path to career growth in your organization.

Administrative professionals who feel appreciated are motivated to go the extra mile, saving their managers time and playing a key role in ensuring the organization stays on-track. With the right development opportunities and recognition, administrative professionals not only keep the office running smoothly but make it a happier place for employees to work.



KOULA VASILOPOULOS is a District Director for OfficeTeam, a division of Robert Half, the world's first and largest specialized staffing and consulting company. For more than 18 years, Koula has led a successful career with Robert Half and has held senior management positions in Western Canada. Her perspectives and knowledge on workplace issues and labour trends are often featured in major media outlets, and she provides curriculum guidance to leading educational institutions across the country.

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ONTARIO'S NEW LAND USE PLANNING APPEALS REGIME: AN OVERVIEW OF WHAT HAS CHANGED

PATRICK J. HARRINGTON & LEO F. LONGO, AIRD & BERLIS LLP

The frequently-maligned Ontario Municipal Board (OMB) has, as of April 3, 2018, been transformed into the new Local Planning Appeal Tribunal (LPAT). This transformation was equal parts necessity and political opportunity. The necessity arose from a widespread but wrongly-held belief that the unelected members of the OMB were routinely overturning the will of elected municipal councils at lengthy hearings based on parades of one-sided evidence presented by high-priced consultants and lawyers funded by deep-pocketed developers. The political opportunity arose from the Province's belief that by amending the *Planning Act* to eliminate avenues of appeal, and by replacing the trial-like process of the OMB with a more appellate-like process of the new LPAT, those dissatisfied with the previous system would come to support the Province's efforts to empower local councils to make final decisions on important planning matters.

“From the perspective of municipal authorities, Bill 139 may be both a blessing and a curse. It is true that many Ontario municipalities actively sought greater autonomy from the administrative appeal processes of the Planning Act … But this also means that municipal authorities bear greater responsibility for processing and hearing applications on their merits.”

The vehicle for the Province’s OMB reform was Bill 139, which replaced the *Ontario Municipal Board Act* (in effect since 1932) with the new *Local Planning Appeal Tribunal Act, 2017* and made numerous revisions to the *Planning Act* and the *Conservation Authorities Act*. Bill 139 also created the new Local Planning Appeal Support Centre, which will operate independently of the LPAT and is intended to provide assistance to those interested in the planning appeals process that may not have access to planning advice and/or legal representation.

This article will provide an overview of how Bill 139 has changed the planning appeals process in Ontario, both in terms of what can be appealed and how appeals will be processed. While the dual intentions of Bill 139 are to respect the authority of local decision makers while leveling the appellate playing field, it is questionable whether these intentions will be realized through the Province’s reforms. From a procedural perspective, the maze from planning application to final approval on appeal has gotten even more complicated. From a substantive standpoint, land use planning appears to be moving away from more general tests of “best evidence” and what constitutes “good planning” to being prescribed by the policy will of the Province.

I. CHANGE TO THE NAME

It was important to the Province to change the name of the OMB. Negative associations with “the Board” made it a frequent target of councils and commentators. It was believed that a change to “the Tribunal” (which, speaking as practitioners, will take some getting used to) would emphasize the intention to bring “local” decisions back to the forefront of land use planning. However, while the efforts of the Province were focused on empowering local decisions, the name change to “Local Planning Appeal Tribunal” was more symbolic than practical. In fact, the name change has some decidedly impractical effects.

More than a few commentators mistakenly believe that the new LPAT will be comprised of local representatives in each municipality. The reality is that the members of the OMB are continued as members of the LPAT. The LPAT will continue to be operated out of Toronto, and while the members of the tribunal will hold hearings in local municipalities, the LPAT is no more “local” than the OMB ever was.

Use of the word “local” in the title of the new tribunal also draws comparisons to “Local Appeal Bodies” under the *Planning Act*. A Local Appeal Body can be established by any municipality and once created, hears appeals from local committees of adjustment and similar land division committees from applications for minor variances and/or consents to

sever. As a matter of fact, Bill 139 expanded the potential appellant powers of a Local Appeal Body to include site plan appeals. Unlike the LPAT, Local Appeal Bodies are comprised of local appointees. However, as many Ontario municipalities have determined, establishing a Local Appeal Body is an expensive proposition. It is effectively an administrative service download from the Province. To date, only one municipality – the City of Toronto – has created a Local Appeal Body, and those who have worked with the “TLAB” will readily tell you that it has experienced its own growing pains.

II. CHANGES TO APPLICATION AND APPEAL RIGHTS

The concept of “freezes” on amendment applications was introduced into the *Planning Act* through Bill 73 in July 2016. These freezes take effect upon the approval of a new official plan or comprehensive zoning by-law and statutorily prevent the filing of private applications seeking to amend the newly enacted planning instrument for a period of two years. Bill 73 even included a two-year freeze on minor variance applications where a new site-specific zoning by-law has been adopted.

Through Bill 139, the Province introduced two additional freezes. Secondary Plans, which are defined quite expansively as official plan amendments that apply to more than one lot but less than the whole of the municipality, are now subject to two-year freezes after coming into force. The Province has also prescribed a freeze on applications within identified Major Transit Station Areas, which are areas for which a municipality has created policies prescribing minimum heights, minimum employment/residential densities, and specific land uses surrounding an existing or planned higher order transit station or stop. The intention is to ensure that investments made in higher order transit infrastructure are supported and protected by the surrounding land uses and densities. Once approved by the relevant approval authority (which for single and upper-tier municipalities, is the Province itself), the maps and policies associated with a Major Transit Station Area are immune from appeal and cannot be amended absent permission from the relevant council.

A more extraordinary restriction created by Bill 139 arises in any matter where the Minister of Municipal Affairs is the approval authority. In these matters, which include all official plan reviews and all municipal comprehensive reviews conducted by single or upper-tier municipalities, there will be no ability to appeal the Minister’s decision. This means that provincial plan conformity exercises as approved by the Minister are now immune from appeal, as are refusals of requests to convert lands within an employment area to non-employment uses. The Province believed that these types of appeals were clogging the planning appeals system and stymying the ability of local authorities to move forward with their new official plans. However, we would point out that the former OMB on more than one occasion found in favour of private appellants on these types of appeals, on matters ranging from site-specific conversions to how much land must be included within the urban boundary to meet population and employment targets. Eliminating these appeals means eliminating the opportunity to ensure that these important decisions are based on the best available evidence.

III. CHANGES TO THE APPEAL TESTS

On an appeal of a municipally-adopted/approved official plan or amendment, or a zoning by-law or amendment, the appellant will have to explain how the relevant part or section of the instrument is inconsistent with a provincial policy statement, fails to conform with

or conflicts with a provincial plan, or fails to conform with the applicable upper-tier official plan. The LPAT must dismiss without a hearing any appeal that does not satisfactorily address this new test.

On an appeal from a refusal of a privately-initiated official plan or zoning by-law amendment, the applicant/appellant will have to explain (i) how the existing policies/regulations of the official plan or zoning by-law sought to be amended do not satisfy the provincial plan/policy test described above and (ii) how the proposed amendment(s) would satisfy the provincial plan/policy test.

The latter “joint test” will make appeals of private amendments much more difficult. The applicant/appellant will need to demonstrate to the Tribunal not only the planning merits of the private application, but also the lack of planning merits in maintaining the status quo. Short of that, it is not clear how a private appellant will be able to satisfy the joint test. The first few decisions of the LPAT on this issue will be very instructive.

IV. CHANGES TO THE APPEALS PROCESS

It was not until the Bill 139 amendments were proclaimed into force on April 3, 2018 that stakeholders had a full picture of the process by which the LPAT would receive, review, hear and determine appeals. This is because the regulatory and rule changes that accompanied the new Tribunal were not released by the Province until the weeks leading up to the changeover.

The amendments to the *Planning Act* and the new LPAT *Rules of Practice and Procedure* create a two-part process for appeals of official plans and their amendments, zoning by-laws and their amendments, and appeals of non-decisions on draft plan of subdivision applications. These “Part 2” appeals (as they are referred to under the LPAT *Rules*) begin with the filing of an appeal. The LPAT must first verify that the appeal has addressed the new statutory tests discussed above.

Once the LPAT notifies the parties that the appeal is valid, the appellant is given 20 days in which to file a full appeal record and a “case synopsis.” The contents of the appeal record reproduce the record that was before the municipality, but also requires the filing of an affidavit “setting out the material facts associated with the application.” The affidavit may also include expert opinion on the matter under appeal.

The required case synopsis can be no more than 30 pages and is essentially the appellant’s “factum” or written argument on the appeal. Responding municipal authorities must advise the LPAT within 10 days of receiving an appeal record of the authority’s intention to respond. The authority then has 20 days to prepare, serve, and file its own responding record and case synopsis.

After the required documents and written submissions are exchanged, the matter proceeds to a case management conference. It is at this conference that the LPAT will determine, with input from the parties, how it will consider and ultimately dispose of the appeal. Interested residents, stakeholders, and public agencies will be required to notify the LPAT and the municipal authority at least 30 days in advance of a case management conference of an intention to appear and ask for party status. The request must explain the nature of the party’s interest in the appeal as well as the party’s position on the new appeal tests.

In terms of the actual hearing of the appeal, the LPAT will determine if the hearing will be in-person, in writing, or heard electronically. The new *Local Planning Appeal Tribunal Act, 2017* explicitly prevents all parties from examining or cross-examining witnesses as part of the “first” appeal. Only the LPAT member is empowered to examine a witness if he or she determines that such an examination is necessary to dispose of the appeal. The parties will instead make submissions based on the public municipal record. These submissions will be subject to time limits – 75 minutes for each “party” and 25 minutes for each “participant.” The allotment of time between multiple parties or participants that are aligned in interest will be determined at the case management conference.

If the appellant is ultimately successful on the first appeal, the matter is not finally determined by the LPAT at that stage. Instead, the LPAT sends the matter back to the municipal authority with its reasons for a further decision. The municipal authority then has a 90-day window in which it can issue a new decision. If the municipal authority renders a new decision, or if the 90-day window elapses with no decision, the applicant/appellant may appeal again to the LPAT. The tests on the “second” appeal remain as outlined above, however on this latter appeal, the LPAT will be empowered to make a final determination. Also, second appeals are no longer “Part 2” appeals under the LPAT *Rules* – they are received and processed in the same manner as “Part 1” appeals, which in large measure replicates the trial-like process that previously existed before the OMB.

Further complicating the foregoing “two stage” appeal process is the fact that O. Reg. 102/18 now requires that the LPAT dispose of *Planning Act* appeals pursuant to a prescribed timeline – regardless if it is a Part 1 or a Part 2 appeal. 10 months is allotted for first appeals of official plan and/or zoning by-law related appeals, with an additional six months if there is a second appeal. Non-decisions by approval authorities concerning an official plan or a draft plan of subdivision must be resolved within 12 months. All other appeals (including minor variances, consents and site plans) must be determined within six months.

The requirement to implement timelines in the processing of appeals will present an ongoing challenge to the LPAT. As Bill 139 marched towards enactment, many applicants and stakeholders filed “legacy” appeals in order to have their matters heard and determined in accordance with the former OMB regime. However, the former OMB regime did not have statutory timelines. This means that the LPAT must actively keep its calendar open in order to process post-Bill 139 appeals in accordance with their prescribed timelines. Legacy OMB appeals will need to be scheduled around these newer appeals. This is a function of the overlapping of the OMB and LPAT regimes and unfortunately will be a reality for years before the legacy OMB appeals have fully exited the system.

Finally, despite the various procedural and substantive changes outlined above, there are matters arising under the *Planning Act* for which very little will change. The majority of the Bill 139 and LPAT *Rules* changes are to the procedures associated with “Part 2” appeals, which as indicated include official plans and official plan amendments (*Planning Act*, ss. 17 and 22), zoning by-laws and zoning by-law amendments (*Planning Act*, s. 34), and non-decisions on draft plans of subdivision (*Planning Act*, s. 51(34)). “Part 1” appeals include all other *Planning Act* appeals (minor variances, consents to sever, site plan, etc.) as well as all other appeal hearings conducted by the LPAT (development charges, park-land contributions, heritage, etc.). With a few exceptions, the processes and “tests” for determining these appeals will not materially change.

V. CHANGE FOR THE BETTER? FOR THE WORSE? FOR THE SAKE OF CHANGE?

From the prospective of applicants, the changes brought into effect by Bill 139 are vague and uncertain. Despite the imposition of time limits and timelines, there remain questions about how and when the LPAT will ultimately conduct both a first and second appeal on a matter. This will likely lead private applicants to forego appeals and stick within the local process in effort to broker a resolution through municipal staff and ultimately council.

Strictly speaking, this furthers the goal of the Province to return control to local decision makers. However, the new regime may also give rise to issues of fairness and natural justice. Municipal councils cannot conduct full trial-like hearings into the planning merits of every application. Without a timely trial-like appeal process to turn to, private applicants may more frequently seek relief from the courts – as is currently the experience in jurisdictions outside of Ontario.

From the perspective of municipal authorities, Bill 139 may be both a blessing and a curse. It is true that many Ontario municipalities actively sought greater autonomy from the administrative appeal processes of the *Planning Act*. In response, they now have it. But this also means that municipal authorities bear greater responsibility for processing and hearing applications on their merits. Creating a record of how a municipality has processed an application is also becoming more onerous. More importantly, now more than ever, Council decisions must be consistent with/in conformity with Province-led, top-down planning policies, such as the emphasis on intensification within existing built boundaries – especially within transit corridors and Major Transit Station Areas. Councils looking to avoid politically difficult planning decisions will no longer have the OMB to provide them with cover.

Finally, from the perspective of the public at large, one wonders how the new LPAT regime will make the process easier for ratepayers and unrepresented stakeholders. The new process will put more emphasis on documentary records and written submissions, both of which are expensive to prepare and time consuming to review. Residents must also be mindful of new timelines for matters such as requests for party status and the exchange of case synopses, as well as time limits on oral submissions (should oral submissions even be permitted, which is not guaranteed). The cost of chasing a matter up to the LPAT, back down the municipality, then potentially back up to the LPAT is going to be prohibitive for many. While the new Local Planning Appeal Support Centre will assist, the form and nature of that assistance is still unclear.

It will be some time before anyone will be able to take stock of the Bill 139 changes to determine if they improved or impeded the Province's goals of a more fair and cost-effective land use planning appeals system. With a provincial election on the immediate horizon, it is legitimate to wonder how much time these changes will be given before further reforms are made for practical or political purposes. As is the case with most articles advising on *Planning Act* reforms, our advice is always: Stay tuned.



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THE CANNABIS ACT: FCM WEIGHS IN ON WHAT MUNICIPALITIES SHOULD EXPECT FROM CANNABIS LEGALIZATION

PSD'S SLOANE SWEAZEY IN CONVERSATION WITH TOM STILES, FCM

The legalization of non-medical cannabis has been a long-time coming – a handful of European countries and US states have made cannabis legal in previous years and many Canadians eagerly awaited the time that Canada would do so as well. Yet, despite the whisperings of potential legalization for many years, the passing of the Cannabis Act has taken many by surprise – both citizens and politicians alike.

Whether you are in favour of its passing or not, the Cannabis Act cannot be ignored and will have many impacts on municipalities once in effect. Tom Stiles, the Federation of Canadian Municipalities' (FCM) policy lead on cannabis legalization, provided Public Sector Digest readers with a primer on everything one needs to know about the impending legislation.

“Municipalities are the order of government closest to people’s lives and are best placed to determine the nature and extent to which this new industry will be a part of their community.”

Can you summarize municipalities’ scope of authority and actions they can take under the upcoming cannabis legalization regime?

Cannabis legalization presents a tremendous challenge for all orders of government, but municipal leaders are the ones on the frontlines — closest to where people live, work, and raise their families. Residents are already calling their local councillors with concerns. And municipalities are feeling a tremendous responsibility to ensure all citizens are safe and well-served.

Of course, responsibility and authority are two different things. Municipal authority to address new issues resulting from legalization will come primarily from enabling provincial or territorial legislation.

Local governments should consider the laws set out by their province or territory. But generally speaking, municipalities will have authority to regulate certain aspects of production and retail facilities through zoning by-laws and building code enforcement. Municipalities will also have some authority over the public consumption of cannabis, which is commonly being addressed through smoke-free and nuisance by-laws.

Many more areas will require municipalities to take action. Additional municipal staff will be needed to monitor and enforce new by-laws or the increase in activity from enforcing existing by-laws. This includes areas such as zoning, property use, and standards inspections.

Fire services will also have to receive new training to deal with fires or accidents that could result from home cannabis production. They will also have a role in educating the public to prevent these new hazards from causing harm in the first place.

Local governments will also have to update their human resources policies to ensure there are clear, safe, and effective protocols for consumption and possession of non-medical cannabis in the workplace. Employees and labour unions will have to be clearly briefed on the rules. Senior municipal departmental staff also require additional time, budget, and mandate to implement, administer, coordinate, and support all cannabis legalization work.

Particularly during implementation, municipalities will need to provide training and additional staff to 311 services in anticipation of increased calls from citizens about cannabis. These could relate to nuisance or emergencies, or simply be questions about the new rules.

The list goes on, depending on the size of the municipality and the services it provides to citizens. In some jurisdictions, municipalities are social housing providers or have roles in local public health. We expect that new issues will emerge after cannabis is fully legalized, and FCM will be watching to see how we may be able to help.

What aspects of public cannabis consumption can municipalities regulate? By extension, can you describe how the variation in cannabis laws will look across the country?

Provinces and territories are choosing a wide variety of distribution models. In jurisdictions that will incorporate a private vendor component, municipalities will be responsible for determining and enforcing a cannabis store's proximity to schools and playgrounds. They will also be able to prevent a proliferation of stores in one area.

Under the private cannabis sales model, municipalities will also have to establish an entirely new business license system, including fees. As a large number of cannabis businesses will be keen to set up shop from day one, local governments' business licensing units will need to expand their capacity. While this workload will level off at some point, municipalities are already finding it challenging to undertake this work on a cost recovery basis with the influx of applicants entering this emerging economy.

Under a public distribution model like the Société Québécoise du Cannabis or the Ontario Cannabis Store, local governments will not be responsible for issuing business licenses. But we do expect these Crown corporations to work with municipalities to determine the most appropriate locations for their brick-and-mortar storefronts, abiding by local government zoning by-laws.

While it is a federal responsibility to regulate commercial cannabis cultivation facilities, municipal governments still must protect the health and safety of citizens and may also have an interest in the economic development potential.

The federal role does not necessarily oust provincial/territorial or local governments' jurisdiction. Municipalities have options when it comes to regulating how, when, and where a cannabis production facility operates. This could include restricting this particular land use altogether, limiting it to a specific area or allowing it to occur under the existing local regulatory framework.

Provinces and territories will set laws around where and how cannabis can be consumed. But in many cases, municipalities can implement further restrictions, so this aspect of legalization might vary from place to place. However, it generally remains uncertain who will have the primary responsibility to enforce the provincial, territorial, and in some cases municipal, public consumption rules.

How can the legalization of cannabis affect the local economy? (E.g. new businesses, the retail of cannabis, etc.)

As with every new industry, there are certainly opportunities for local economic development. But at the end of the day, it comes down to something FCM has been saying from the beginning: the cannabis legalization framework must recognize and respect the autonomy and authority of local governments. Municipalities are the order of government closest to people's lives and are best placed to determine the nature and extent to which this new industry will be a part of their community.

Can you describe the difference between standard and micro-cultivation of cannabis and how it pertains to municipal jurisdiction?

The *Cannabis Act* refers to two scales of cultivation: standard cultivation and micro-cultivation. It is proposed that a standard cultivation licence would be for a variety of cannabis

products and would not have a production limit. Micro-cultivation refers to a licence category intended for the same types of production as standard cultivation, but at a much smaller scale (although this scale has not yet been determined). The intention here is to enable smaller producers to enter the market. This is similar to how micro-breweries operate in Canada, where changes to provincial and territorial liquor laws allowed smaller producers to enter the market under a different licence.

For municipalities, this distinction is relevant to land-use planning. Local regulators may wish to distinguish between standard and micro-cultivation as a way to control where these two different types of cultivators can set up a production facility within a municipal boundary.

Community concerns surrounding the legalization of cannabis is a forefront issue for municipalities. Can you speak to this concern and how municipalities can help communities understand what exactly the legalization of cannabis entails?

Municipalities are on the front lines of legalization in so many ways — and addressing community concerns is at the top of this list. Local governments will play a critical role in helping the public adjust to this significant shift in national public policy.

There is an important municipal role in handling nuisance complaints, coordinating efforts between by-law, law-enforcement, fire services, and building code inspectors to shut down illegal operations. Citizens will need to know where they can consume cannabis in their community, how to dispose of it safely, and who to inform if rules are being broken. 311 services will play an important role here in taking stock of citizen concerns and connecting them with the right municipal staff to address a particular issue.

People are also concerned about the significant cost implications for their local governments. This is why FCM has been so clear about the federal responsibility to ensure municipalities have the financial tools to keep people safe and well served.

FCM has calculated a preliminary range of ongoing annual costs for municipal administration and local policing of \$3 - \$4.75 million per 500,000 of population. This range accounts for variations in the impact of provincial and territorial policing and administrative responsibilities, as well as municipal differences such as geography and local policy choices.

Many other municipalities have undertaken their own costing research and have arrived at a similar range. As a result, FCM is calling for one third of cannabis excise tax revenues to be allocated to local governments to help support the legalization costs.

FCM welcomed the federal government's recognition of the important and ongoing role municipalities play in the administration and enforcement of the non-medical cannabis regime. They committed to provide an additional 25 percent of the cannabis excise tax to provinces, with the expectation that these funds would flow to municipalities to address their costs.

Given that determining impairment from cannabis is so difficult to conclude, how can municipalities ensure a safe workplace?

Municipalities may want to update municipal substance use policies to address the changes to the legal status of cannabis possession and consumption. This will help ensure

that the rules for cannabis are clearly articulated and understood by employees. These rules should also reflect the complexity of cannabis policy — and this includes accounting for both medical and non-medical cannabis.

There is currently no agreed-upon standard to determine impairment due to cannabis consumption. So, it is important that municipal supervisors base any decisions about potential impairment on consistent, reliable facts that are well-documented and easily justified and supported.

There are many nuances to consider for different kinds of job. But in examining employee standards, guidelines for substance use, and addressing substance-related impairment, there will likely be similarities to how employers approach impairment due to alcohol. The duty to accommodate people with disabilities must also be applied in the case of medical and non-medical cannabis.

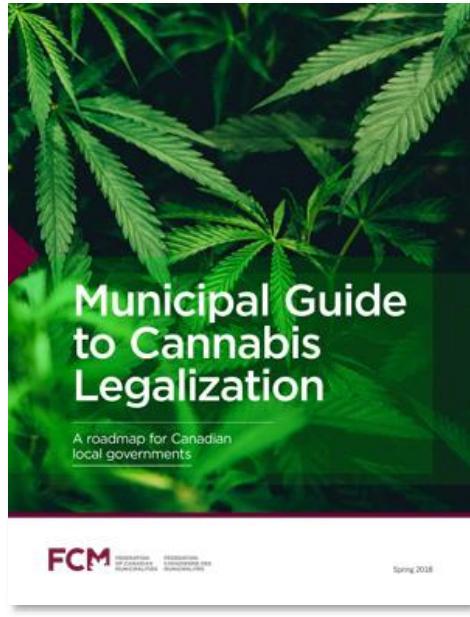
Over the long-term, municipalities will likely need to adjust and modify their operations and policies once cannabis legalization begins. What could those monitoring processes look like and what aspects will likely need adjustment?

Cannabis legalization will involve a lot more work than a few simple bylaw amendments over the course of a year. Municipal by-laws and policies will evolve as federal, provincial, and territorial laws change. Administrators from all orders of government will gain a better understanding of how cannabis legalization affects individuals, businesses, communities, and society as time goes on.

In American states such as Colorado, where the sale of non-medical cannabis has been legal since 2014, the laws continue to be adjusted to address unexpected challenges and opportunities.

In Canada, we know we will have ongoing work to do to keep our communities safe and well-served. We know that there are significant policy decisions yet to be determined nationally. For example, we know the federal government will hold off on regulating edible cannabis products for now, but will tackle this issue in the near future — with many by-law and policy considerations for our communities to address.

“As with every new industry, there are certainly opportunities for local economic development. But at the end of the day, it comes down to something FCM has been saying from the beginning: the cannabis legalization framework must recognize and respect the autonomy and authority of local governments. Municipalities are the order of government closest to people’s lives and are best placed to determine the nature and extent to which this new industry will be a part of their community.”



To help municipalities prepare for cannabis legalization, FCM worked with our provincial and territorial municipal association partners to release a Municipal Guide to Cannabis Legalization. It describes key issues for local governments to consider and offers policy suggestions as starting points.

We have already received great feedback on the guide and I am confident it will continue to be a useful resource and an essential starting point for municipalities who are eager to ensure cannabis legalization happens safely and effectively in their communities.

FCM is also developing a standardized set of cost metrics to help municipalities track the anticipated expenses related to cannabis legalization over time. This exercise will be critical to understanding the full resource impact on our local governments.

Besides this guide, what other resources can municipalities access to become more informed of the legalization of cannabis and cannabis consumption in general?

We recommend that municipalities get in touch with their local provincial or territorial associations. They will have the most up-to-date information on the legal frameworks in their specific regions. Getting legalization right, from coast to coast to coast, will require coordination among governments and stakeholders at all levels. The good news is that smart, outcome-focused coordination is an area where local governments generally excel.



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TIM STILES is the FCM policy lead for cannabis legalization. As part of this role, Tim supports municipalities across the country with the tools and resources to safely and effectively manage the local implementation and ongoing enforcement of non-medical cannabis. Part of this work includes developing the FCM's Municipal Guide to Cannabis Legalization in partnership with provincial and territorial municipal associations from across the country. Tim has a background in community development, public policy and international relations and has worked extensively with communities in Canada's North and abroad.



CANADA'S NEW CANNABIS REGIME

PETER THURLEY, PT COMMUNICATIONS AND CONSULTING SERVICES

Canada's new cannabis regime is in its final stages of legislative review, and how municipalities manage legalization matters. The most important thing municipalities need to know is that they will need to extend training about cannabis beyond the basic sphere of law enforcement. Indeed, municipalities should consider cannabis education as a priority for ALL staff, not just staff who may be directly responsible for enforcement. This includes legal regulations and basic education about cannabis, itself. Cannabis will be available as a legal product across Canada, and no matter what size a municipality may be, municipal staff will need to know the basics to make the best decisions for the future of their community. This requires letting go of various preconceptions about cannabis and its users, as well as welcoming cannabis education into municipal forums.

I. HIGH-LEVEL OVERVIEW OF THE FEDERAL LEGISLATION

Any description of the framework for cannabis in Canada comes with the caveat that this discussion is subject to the passing of enabling federal legislation, the Cannabis Act (Bill C-45). At press time, the bill is still working its way through the Senate; until such a time as this legislation is passed, the recreational use of cannabis remains illegal. Along with the Impaired Driving Bill (C-46), which is outside the scope of this piece, the Cannabis Act sets the baseline for the Canadian cannabis regime, while leaving much of the implementation to each province. I trust that as we are mere months away from legalization, most municipalities are already familiar with what the Cannabis Act does; so, I will simply highlight a few key points of the legislation.

First, the bill aims to keep cannabis out of the hands of children and youth by taking a public health approach to cannabis legalization. Second, it eliminates the illegal market and invests the profits back into important Canadian social programs. Recognizing that most municipalities have important responsibilities with respect to the enforcement of laws, Trudeau's Liberal government agreed to transfer 70 percent of tax revenue to the provinces if money found its way into the coffers of municipalities.

The federal government has set the Minimum Age for recreational cannabis use at 18, with each province having the ability to set a higher age if desired. In all cases, provinces have aligned the age with the legal age to consume alcohol in their jurisdiction. While some provinces have allowed for the co-location of alcohol, most have created a system that forbids the co-location of alcohol and cannabis sales.

While it may feel counterintuitive, key to achieving these goals is the need to ensure that legal cannabis remains reasonably accessible, with prices low enough to cut out the illicit market, while ensuring a steady tax revenue.

II. INTERPROVINCIAL SYSTEMS

Trina Fraser, CannaLaw® group leader at Brazeau Sellers Law in Ottawa, has put together a helpful chart (Figures 1, 2, 3) that provides an overview of regulations across the country. While it will be important to review your specific provincial legislation in detail, I would suggest that municipalities understand how each provincial system works with the proposed regulations.

III. WHAT MUNICIPALITIES NEED TO KNOW

The Federation of Canadian Municipalities has recently published a thorough guide on cannabis legalization. Notably, FCM commented on the role that the Canadian Charter of Rights and Freedoms plays in ensuring reasonable access to cannabis, once legal. FCM was very clear that municipalities cannot get away with overbearing or overreaching by-laws. This is particularly important when it comes to the accommodation of medical cannabis patients; there are greater burdens placed on municipalities to ensure that the Charter rights of medical patients are not violated. That said, municipalities are empowered to make decisions regarding building codes and zoning, as well as the production, processing, and consumption of non-medical cannabis. The guide lays out the way some municipalities have chosen to address zoning and proximity issues, treating cannabis production and processing facilities in the same way they do other adult type businesses.

	BC	AB	SK	MB
Name of Provincial Bill/Act	Bill 30 – Cannabis Control and Licensing Act First Reading Apr. 26/18 B.C.'s Approach to Cannabis Legalization	An Act to Control & Reg. Cannabis Royal Assent Dec.15/17 (no proclamation date yet)	Bill 121 The Cannabis Control (Saskatchewan) Act First Reading Mar.14/18	Bill 11 Safe & Responsible Retailing of Cannabis Act Second Reading Apr 23/18 Cannabis Harm Prevention Act
Minimum Age	19	18	19	19
Transport Restrictions	Must be in a sealed package, or inaccessible to vehicle occupants	Closed package out of reach of driver & occupants	Possession in vehicle solely for transport to place of lawful use or storage	In trunk or behind last seat of van/wagon/SUV/hatchback
Recreational Consumption Restrictions	Permitted where tobacco smoking is permitted but not where children are present (beaches, parks, playgrounds) or in vehicles	Not at hospitals, schools, daycares, etc. or wherever smoking is prohibited	No consumption in vehicle or enclosed public spaces	No consumption in public, at workplace or in vehicle or boat
Provincial Distributor	BC Liquor Distribution Branch	Alberta Gaming and Liquor Commission	Private, regulated by Sask. Liquor & Gaming Authority	Liquor, Gaming and Cannabis Authority (with private dist.)
Permitted Retailers	Public and Private	Private	Private	Delta9/Canopy NAC Hiku/BOBHQ 10552763 Can.Corp.
Number of Retail Locations	No cap on licenses, but municipalities must approve locations	250 retail licenses anticipated in Yr. 1	Up to 51 permits in 32 communities	
Retail Location Restrictions	No co-location with alcohol or tobacco. Cannabis & accessories only in urban areas	No co-location with anything other than cannabis accessories	Co-location with access / communities can opt out - no minors	Municipalities can prohibit retail sales – no co-location with alcohol
Online Sales	Yes, by govt	Yes, by govt	Yes, by private retailers	Yes, by private retailers
Announced LP Supply Deals	RFI published March 13th – closed March 27th	Expression of interest process closed Feb.12		Tilray to supply NAC
Home Grow Restrictions	No visible plants from public. No growing in daycares /assisted living homes	Expected to be permitted in regulations	Expected to be permitted in regulations	No home growing permitted

Figure 1. Canadian Cannabis Legalization Highlights (By Province/Territory)

Source: Brazeau Seller Law (as of April 27th, 2018)



	ON	QB	NL	NB
Name of Provincial Bill/Act	Cannabis Act, 2017 & Ontario Cannabis Retail Corporation Act, 2017 (no proclamation dates yet)	Bill 157 Cannabis Regulation Act Hearings before Committee on Health & Social Services	Act to Amend the Liquor Corporation Act Royal Assent Dec.7/17	Cannabis Control Act & Cannabis Management Corporation Act Royal Assent Mar.16/18
Minimum Age	19	18	19	19
Transport Restrictions	Must be packed in closed baggage or as per regulations			Restriction only on consumption within a vehicle
Recreational Consumption Restrictions	No consumption in public, at workplace or in vehicle or boat	Prohibition at enumerated enclosed and public spaces	Private residences only	Private dwelling w consent of occupant or vacant land with consent of owner or occupant only
Provincial Distributor	Ontario Cannabis Retail Corporation	Société des alcohols du Québec	Cannabis NL	Cannabis Management Corporation
Permitted Retailers	Ontario Cannabis Store	Société des alcohols du Québec	Private (public only where no private retailer) -Tweed to have 4 locations	New subsidiary of NB Liquor under name "CannabisNB"
Number of Retail Locations	40 stores by July 2018; 80 by July 2019; 150 by 2020	20 physical stores at outset	41 stores expected	11 locations by July/18; 20 locations by September/18
Retail Location Restrictions	Unclear whether municipalities can delay or prohibit retail	Restrictions may be imposed by regulation	No co-location/ shared access with pharmacy - no adjacent lounge where alcohol served	>300m from schools
Online Sales	Yes, by govt	Yes, by govt	Yes, by govt	Yes, by govt
Announced LP Supply Deals		MedReleaf Hydropothecary Canopy, Aurora Aphria, Tilray	Canopy Growth	Organigram, Canopy, Zenabis, Nuuvera
Home Grow Restrictions	Permitted as per <i>Cannabis Act</i>	No home growing permitted. Private possession of >150g prohibited		Indoors in separate locked space. Outdoors in locked encl. at least 1.52m high

Figure 2. Canadian Cannabis Legalization Highlights (By Province/Territory)

Source: Brazeau Seller Law (as of April 27th, 2018)



	NS	PE	YK	NW	NU
Name of Provincial Bill/Act	Cannabis Control Act	An Act to Respond to the Legalization of Cannabis	Bill 15 Cannabis Control and Regulation Act	Bill 6-Cannabis Legalization and Regulation Implementation Act	Bill 3, Cannabis Statutes Amendment Act
Minimum Age	19	19	19	19	19
Transport Restrictions	Must be stored in a closed, fastened package out of reach of all people	Packages must be secured & inaccessible to anyone in vehicle	Must be in closed container & inaccessible to occupants	Must be unopened or resealed & inaccessible to occupants	Must be in closed packaging and inaccessible to occupants
Recreational Consumption Restrictions	No smoking or vaping in restricted places, as set out in <i>Smoke-free Places Act</i>	Private dwelling or vacant land with consent of occupant (with potential for designated spaces)	For now, restricted to privately owned residences and adjoining property, where owner consents	Permitted on private property (with LL permission) and in restricted public areas	Same as tobacco -also restricted in vehicles, school grounds, hospitals, playgrounds
Provincial Distributor	Nova Scotia Liquor Corp (NSLC)	PEI Cannabis Management Corporation	Government of Yukon	NWT Liquor Commission	Nunavut Liquor Commission (NULC)
Permitted Retailers	NSLC	PEI Cannabis Management Corporation	Private (but govt to start)	NWT Liquor Commission	Public and Private
Number of Retail Locations	9 locations	Four in 2018 (Charlottetown, Summerside, Montague, West Prince)	One government-owned location to start	Initially, within existing liquor stores	No physical locations in 2018
Retail Location Restrictions	Co-location with existing liquor stores, but in separate area	Stand-alone government-owned locations	Stand-alone government-owned locations	Municipalities can prohibit retail sales / est. restrictions via plebiscite	Proposed that 'dry' communities will <u>not</u> be permitted
Online Sales	Yes, by govt	Yes, by govt	Yes, by govt	Yes, by govt	Yes, by govt
Announced LP Supply Deals		Organigram, Canopy, Canada's Island Garden	Tilray		
Home Grow Restrictions	Permitted as per <i>Cannabis Act</i> but can be restricted by residential landlord (even existing leases)	Permitted as per <i>Cannabis Act</i> , but must be inaccessible to minors	Permitted as per <i>Cannabis Act</i>	Permitted as per <i>Cannabis Act</i>	Ability for landlords and condo corps to restrict home growing are being considered

Figure 3. Canadian Cannabis Legalization Highlights (By Province/Territory)

Source: Brazeau Seller Law (as of April 27th, 2018)



Notably, it is within the right of a municipality to prohibit all cannabis businesses in a community, provided enabling legislation from the appropriate jurisdiction allows them to do so. In the province of Manitoba, for instance, communities have been allowed by the provincial government to refuse to host any kind of cannabis business, including a private or public cannabis store. These prohibitions can extend to the point of forbidding cannabis production by modifying bylaws to exclude cannabis from the definition of agriculture.

Restricting cannabis retail locations to the point of inaccessibility, to keep cannabis out of the hands of young people, is not the best approach. The central purpose of the Cannabis Act is to open accessibility to regulated cannabis produced safely and reliably, in order to drive out undesirable illegal and unsafe activity. Relegating retail cannabis locations to the outskirts of town or otherwise less accessible places will simply help to maintain the illicit market.

Banning cannabis-based businesses will not prevent residents from using cannabis, nor will this prevent medical cannabis users from accessing their medicine through the existing ACMPR program. According to the FCM guide, this means recognizing that some pharmacy chains have already entered into contracts to carry medical cannabis, and that jurisdictions should be careful not to restrict this kind of medical sales.

One of the larger challenges is enforcing provincial public consumption and smoking regulations. Cannabis has a particularly noticeable odor, which quickly becomes a nuisance, not dissimilar to cigarettes or cigars. Many people are intolerant of smoking, and complaints make enforcement difficult and expensive. Communities should recognize that it is inevitable that there will be complaints with respect to cannabis use on private property.

Additionally, it is important to recognize that consuming cannabis is also frequently a social activity. One way that communities can get around the nuisance of smoke and smells is to authorize the opening of ‘cannabis cafés,’ or Vape Lounges, which can act as a release valve for cannabis users who may be tempted to congregate in public or in parks, further taxing local enforcement systems. While it may be distasteful to some, creating spaces for legal cannabis users to consume with others will ultimately have the desired effect of keeping cannabis users off the street.

One of the controversial components of the federal Cannabis Act is permission granted to Canadians to grow up to four plants in their dwelling-house, unless provinces choose to regulate otherwise. Thus far only Manitoba and Quebec have forbidden personal home growing, though there has been significant resistance from the country’s landlords, real estate investors, and home owners. In a February 2018 report from the Financial Post, David Hutniak, CEO of Landlord BC, said, “Can you imagine you’re living in a 100-unit apartment, and in theory, there could be 100 grow-ops in that thing? I mean, that’s ridiculous.”

While Mr. Hutniak may be worried about his 100 units taking up the art of cannabis growing, the data suggests that less than one percent of medical users grow their own plants, and that few recreational consumers will consider growing their own plants in the future. The average cannabis consumer will be more concerned about ease of legal access than they will be about setting up a grow room in their bedroom.

Moreover, as FCM notes, “there is no reason ... for those engaged in the activity not to comply with applicable building construction and safety standards. They don’t need to stay ‘under the radar’ of law enforcement.” That said, there is no concern about possible Charter violations. If a municipality chooses to place restrictions to building codes such that

home growing is not possible, it will be important to remember that they will be responsible for ensuring compliance through their own means of enforcement.

IV. TRAINING MATTERS

While many communities will be focused primarily on enforcement of regulations, the ones who spend time, money, and energy on balanced and effective staff training programs will ultimately be the municipalities who come out on top. The education of municipal staff, in addition to law enforcement officers, will require an open mind; municipalities across Canada must face the reality that cannabis is going to be legal by the fall of 2018, and will only continue to grow as a social activity within Canadian society. As Dr. Mark Ware noted in his presentation to the Senate Committee on Social Affairs, Science and Technology on May 9, 2018, the legalization of cannabis as an adult use product is a paradigm shift for all of us, and it will be easy for none of us. In his closing comments to the committee, Dr. Ware asked Senators to “think of cannabis not as a dangerous drug with potential harms but instead to start thinking of it as a cultivated plant with a diverse set of benefits.” Municipalities that do not make this shift in thinking risk being left behind, their feet firmly planted in a 20th century War-on-Drugs mentality.

It may come as a surprise to many municipal governments that there are already many medical and recreational cannabis users in their community from all walks of life that they likely don’t know about. It’s important to recognize that not every person who consumes cannabis will become a problem or issue for governments to deal with. Indeed, the vast majority of cannabis consumers use a little bit of cannabis as a way of de-stressing, or otherwise just having a good time with friends. From one or two puffs as a sleep aid, to a BBQ with friends and family, cannabis has been used discreetly by Canadians for a very long time. According to a 2016 study by Deloitte,¹ out of “5,000 Canadian adults (19 years or older) from coast to coast, 1,000 ... identified as current recreational marijuana consumers.” The same snapshot determined that an additional 17 percent of the adult population would like to try cannabis if it was legal. With nearly 40 percent of the population either consuming cannabis or open to trying it as a legal product, it is important to recognize that cannabis has, and will continue to be, a part of Canadian society.

Training municipal staff, especially those who are used to treating cannabis as an illicit substance, and who may be unwilling to change their attitudes, can be met with resistance. They’ll be used to having conversations about cannabis as if it were a purely negative thing. From law enforcement, to bylaw officers and public health agencies, few are aware of the complexity of the plant, its constituent parts, or the way that it works in the body. This frequently means that when experts are asked to come and speak to municipalities on cannabis, there are important pieces of the puzzle that are missed.

Finding knowledgeable and unbiased people to provide the training to municipal employees can be difficult. Human Resources and Health and Safety departments will have to adjust their policies and procedures with respect to cannabis usage on the job, and any “hangover” effects. With legalization, there could also be an increase in the cost of benefits programs, particularly within extended health care benefits.



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MANAGING THROUGH UNCERTAINTY: WHY PUBLIC SERVANTS SHOULD EMBRACE DATA SCIENCE

BETH SIMONE NOVECK, TIMI LEWIS & SAM DEJOHN, THE GOVLAB

In early March, the Trump Administration announced that the U.S. would impose tariffs on steel and aluminum imports. While the major shift in policy may benefit individual steel and aluminum manufacturers in America, a quick scan of U.S. Census Bureau data shows that several U.S. states rely on imports of these commodities and could be at risk. The same can be said for the other two countries within NAFTA, with Canada and Mexico among the largest sources of steel and steel products to the U.S.¹ Speculation about concessions began to surface almost immediately, but threats to U.S. industry and trade relations overall loom large.² For practitioners, such uncertainty around policy is not new. However, the magnitude of potential impact across so many areas of the economy demonstrate how critical it has become for public entrepreneurs to possess data skills, with the facility to source, analyze, and ultimately act upon data-driven evidence.

I. DATA LENDS A HAND

While there is a broader movement toward evidence-based policymaking in public institutions, change has been incremental and slow. Institutions are moving faster to recognize the need for data literacy, but they still lack the in-house expertise to turn that data into actionable insights. Examining data between 2004 and 2014, researchers with the Pew-MacArthur Results First initiative identified over 100 state laws across 42 states that support the use of evidence-based programs and practices.³ However, “to produce more data-driven decision-making,” explains Beth Blauer, Executive Director of the Johns Hopkins Center for Government Excellence (GovEx), “what’s needed is more investment in training those in public service.”

To this end, a growing cadre of resources are now available for public entrepreneurs seeking to develop data science and data analysis skills, some at no cost and others available for a paid fee.

For example, the Coleridge Initiative – a joint training program developed by Professors Julia Lane of New York University, Rayid Ghani and Robert George of the University of Chicago, and Frauke Kreuter of the University of Maryland – helps public sector professionals gain data science and computer science skills. With the further aim of improving the policymaking process, the initiative also seeks to build lasting capacity and knowledge, provide a platform for practitioners to collaborate and network, and supports secure facilities to host confidential data and data research. Along with the Coleridge Initiative, Rayid Ghani also leads the University of Chicago’s Data Science for Social Good Fellowship, which works with aspiring data scientists in nonprofit and government to better understand how big data, machine learning, data mining and related areas impact the social change projects they lead, and how to incorporate data skills into their everyday work.

GovEx also offers a program designed to train public officials on how to use data to improve governance, with course offerings from Johns Hopkins University, Udacity and others.⁴ The Institute on Governance based in Ottawa takes a hands-on approach by offering in-person courses such as “Data Analytics for Government Managers.” Services such as Coursera and EdX also help to fill the skills gaps for institutions and public officials alike, though targeted more to computer scientists and those with existing technical know-how. Still, these portals, partnered with leading organizations such as Google and Microsoft, serve an important function and provide access to hundreds of courses from some of the world’s top universities such as the University of Toronto, Harvard University, University of Oxford, and Tsinghua University.

“Growing demand for services and shrinking budgets could create a perfect storm of added pressure for governments ... However, data can extend the reach of programs and services; data can also improve upon delivery and evaluation. With data science beginning to take center stage in government, there is no time like the present for the passionate public entrepreneur to develop these needed data skills.”

Another example is “Solving Public Problems with Data,” an online video lecture series we developed at The Governance Lab at the NYU Tandon School of Engineering to serve as a primer on using data science and data analytical thinking when developing and evaluating solutions to major social challenges. Available for free for participants, at the cost of their time, the lecture series is also a gateway to these more advanced data programs. In our work running large-scale social projects, many of the public officials we encountered desired to have a better command of data principles. They wanted to incorporate a data-mindset into their everyday work but lacked the requisite skill set. To help engaged public servants committed to working for public good, we brought together leading data scientists from different sectors and organizations – including NYU, Bloomberg, J-PAL, Cornell Tech and many more – to share what they’ve learned in a crash course for public entrepreneurs. The end result is a lecture series that dually serves public officials and the institutions they help to lead by demystifying data and making it more accessible.

II. WHY NOW?

The benefits of training within private sector companies are well-known.⁵ These same principles can be applied to the public sector with respect to data science skills. Growing demand for services and shrinking budgets could create a perfect storm of added pressure for governments already dealing with strains on their systems and low trust from the public. However, data can extend the reach of programs and services; data can also improve upon delivery and evaluation. With data science beginning to take center stage in government, there is no time like the present for the passionate public entrepreneur to develop these needed data skills.

More and more courses like “Solving Public Problems with Data” are being launched to meet practitioners where they are in their learning journey. Governments realize they do not need to start from scratch when it comes to closing the gap in demand and supply of professionals with data skills. Instead of exhausting a search for data scientists with an interest in solving public problems, they can refocus on empowering their existing pool of professionals to use data to improve decision-making and policy-making.

III. WHAT HAPPENS NEXT?

Solving for a dearth in public sector data science skills leaves open the question of what happens next. How exactly are public entrepreneurs meant to apply these newfound data skills in their everyday work? Governments collect huge stores of information better known as administrative data. Efficient policymaking and service delivery also depend upon the analysis of government’s own administrative data be it to understand past performance, effectively target current resources, or forecast future needs and outcomes.

Thus, a secondary consideration to address in parallel with training public servants is the removal of impediments – technical or otherwise – that can hinder data and knowledge sharing across departments and institutions, and subsequently cripple collective intelligence, collaboration, and innovation in problem-solving. To this end, in a post about the humanity of data science, GovEx Analyst Miriam McKinney reminds us that “Data science is collaborative. Openness and peer-peer evaluation is a necessary component of efficient data science.”⁶ She further notes that in order to effectively use data and data science, it is

necessary to “employ compassionate professionals who can do more than just solve data problems. Seek to hire the conscientious, the self- and socially-aware.”

So, whether or not the U.S. moves forward with tariffs and the situation escalates to a trade war, leaning on data offers the best way to navigate the uncertainty in this and other policy arenas. Then as is now, public servants are called upon to conduct data analysis to better understand and communicate potential implications. Data will be at the center of how practitioners proceed with the next steps, making data literacy crucial for crafting policy based on evidence despite the political headwinds. Of equal importance is the need for these data specialists to possess the discipline, creativity, and experience to apply these data skills, making public entrepreneurs the optimal candidates for training.



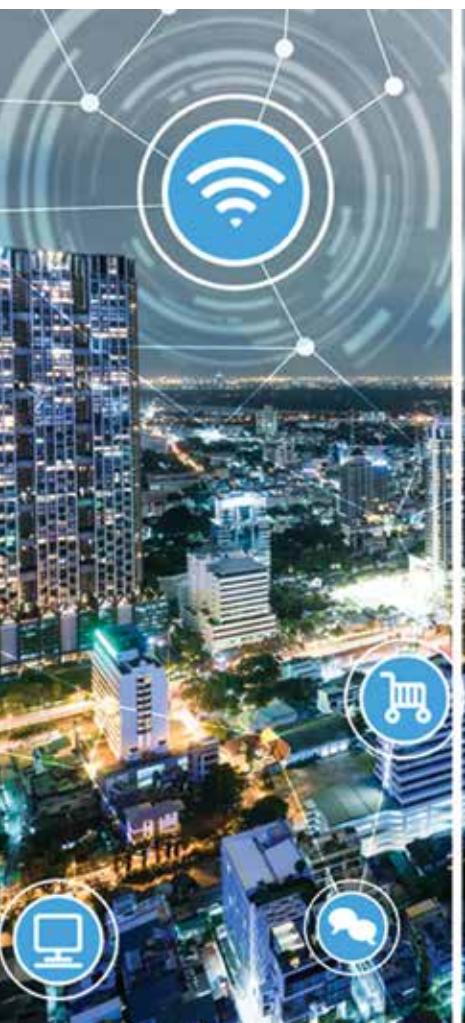
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CREATING ECOSYSTEMS OF FOOD SECURITY: THE POSSIBILITY OF A LOCAL PILOT PROGRAM

CHRIS SMITH, DALHOUSIE UNIVERSITY

The current food system has been globalized to the extent that a few transnational companies can operate and deliver cheap food to the developed world. The production of this globalized cheap food is done in such a way that it delivers a low cost but does not consider human or environmental health consequences.¹ There is a growing interest in local food due to factors including improved food quality, nutrition and health, food safety, economic development, and environmental health. This is important because between 2007 and 2012, one in 12 Canadian households were moderately to severely food insecure.² Food systems are complex lines of supply chains with many different interests involved. Yet with the increasing rates of food-related illnesses and climate change concerns, implementing food policies and programs into regional, provincial, and national plans are of the utmost importance. This article outlines a proposed pilot program to address the concerns surrounding food insecurity in the Canadian municipal context.

“While there is exciting work being done in urban and rural agriculture, there is a need for an approach that includes the engagement of stakeholders and the integration of existing services, whilst strengthening evidence-based practices.”

I. THE STRATEGIC CONTEXT – GLOBALLY

There has been success in ending hunger in food insecure ecosystems with local government assistance. Belo Horizonte in Brazil is being dubbed the city that ended hunger, its success largely due to redefining the ‘free’ in ‘free markets’ as the freedom of all to participate.³ This freedom led to a shift in culture that made access to good food equally as important to access to good healthcare and good education. The municipality created Secretaria Municipal de Abastecimento (SMAB), a backbone organization to lead the change in integrating policies and programs to address malnutrition and hunger.⁴ SMAB bridged the gap between small rural producers and large urban markets by providing access to prime market space for the price of regulating prices and quality of their products. Further, they supported and scaled innovations throughout the food supply chain. This was all supported through participatory budgeting – a budgeting practice that includes citizens in the decision-making process and was spearheaded by the municipal government. The costs of these efforts are \$10 million annually or less than two percent of the city budget.⁵ In other words, the cost to end hunger in a large urban area cost a penny per citizen per day. Opportunities exist in Canada, and specifically in Ontario, to learn from and leverage this program.



Praca do Papa, Belo Horizonte

II. THE STRATEGIC CONTEXT – ONTARIO

In 2013, the Ontario Ministry of Agriculture, Food, and Rural Affairs (OMAFRA) released its development strategy called *Growing Forward* – a five-year federal-provincial partnership to boost innovation and sustainability. The target population is the agricultural sector and the goals of the cost share program are to:

- Expand markets;
- Manage shared risks; and,
- Grow profits.

OMAFRA has created lead agencies charged with the responsibility of brokering consultation and funds to support capacity for these changes. Moreover, the Government of Ontario passed Bill 36 in 2013, the Local Food Act, which seeks to foster successful and resilient local food economies and systems. It does this in part by:

- Improving access by meeting target goals;
- Celebration of a Local Food Week;
- Creation of tax credit for farmers that donate to community food programs; and,
- Annual report to track progress.⁶

These programs and policies are integral to Ontario's local food strategy and support additional initiatives such as: Foodland Ontario, Local Food Fund, Farmer's Markets, agri-food education, research, local food advisory services, best practices guide for municipalities, and the local food procurement policy. Partnerships and collaborations have been established across the public sector (e.g. Ministry of Children and Youth: Student Nutrition Program, Ministry of Education: Healthy Schools: New School Food and Beverage Policy, and Ministry of Education/OMAFRA: Fresh from the Farm) and are essential in establishing strong local food ecosystems. However, they are limited in scope to children and youth. New partnerships and collaborations must be produced with Ministries such as Community and Social Services, Environment and Climate Change, Health and Long-Term Care, and others to be truly effective. The current approaches have been impressive but have not created a substantive impact on the quality of health or environment in Ontario.

III. PROPOSED PILOT PROGRAM

While there is exciting work being done in urban and rural agriculture, there is a need for an approach that includes the engagement of stakeholders and the integration of existing services, whilst strengthening evidence-based practices. The model in Figure 1 seeks to align different stakeholders with a common interest of a food secure ecosystem. According to this pilot, created for the City of Oshawa located east of Toronto on Lake Ontario, the Oshawa Food Council would run a central hub supporting a diverse array of projects depending on the community's needs. These projects include, but are not limited to:

- Urban forestry;
- Small-scale specialized production;
- Large-scale agro-enterprises;
- Aquaculture and hydroponics;
- Multifunctional farms;
- Small-scale commercial horticulture;

- Community and institutional gardens; and,
- Small-scale livestock keeping (commercial/non-commercial).

The proposed pilot program will include all members of the community but will outreach to specific target groups in communities that are known to be prone to food insecurity. These groups should include low income families (e.g. Indigenous peoples, renters, lone parents),⁷ children and youth, and seniors. Different inequalities that describe a population can combine, and further perpetuate, the risks of food insecurity and ill-health. To ensure the projects are sustainable and successful they will need supporting services including economical, educational, and environmental support.

It is important to take advantage of existing projects and opportunities and this model would leverage work that has already been done. Durham Integrated Growers (DIG) offers financial and educational support for community and institutional gardens across the region with the majority located in Oshawa. These services can be leveraged and integrated into the Oshawa Food Hubs proposed community and institutional projects. Similarly, multi-functional farms in Northern Oshawa, such as Pingle's and Lintons, would be approached to create a network organization to advise the Oshawa Food Hub's multifunctional farm project. Further, the Oshawa Food Council would advocate for the reversal of the new update to the By-Law that makes it no longer permissible to raise livestock such as chicken within the municipality. These efforts would be spearheaded by the Oshawa Food Council to create a hub network based on the platform of sharing and documenting best practices in production, market creation, communication, research, and evaluation.

IV. THE STRATEGY

The proposed strategy would seek to take advantage of the current local food movement to the benefit of those that are facing food-related issues. The foundation of the strategy would rest on the Oshawa Food Hub that would be advised by the Oshawa Food Council and coordinated by the Site Lead. This Hub would offer low cost/no cost services that are readily accessible for those with identified needs. Stakeholder engagement (e.g. consumers, distributors, retailers, processors, restaurants, producers, researchers, and community service providers) are essential to forming networks that collaborate to find solutions to barriers and threats. Further, they would seek to integrate and coordinate pre-existing services within the Oshawa Food Hub's network to reduce redundancy and save costs. Moreover, they would connect across a diverse array of sectors including education, health, community services, and the environment to provide a holistic and sustainable approach to solving food inequities.

V. EXPECTED OUTCOMES

1. Start Creating the Evidence

To achieve a successful pilot program, it is essential to embed a research strategy to measure economic and environmental impact and population health outcomes. It should be performed by a neutral and trusted source, such as Durham College's Centre for Food. The measurement framework would leverage pre-existing measures in Ontario and coordinate these with international best practices in measuring food security at different scales. Innovations in mobile digital tools and e-technologies to disseminate information throughout the supply chain from producers to consumers will be measured for effectiveness. These

measurements will be utilized in creating an evidence-informed strategy for scalability of this program across the province.

2. Standardizing the Practice

Common techniques in production to distribution and sale of products would be created that reflect the unique needs of each community. As an example, uniformly marketing the labels used within the program to increase brand awareness and profile. The program will also distribute fertilizer created from the materials collected in Durham Region's Green Bin program. The different projects would use standardized assessment tools, data definitions, and collection techniques to allow for comparison between sites. Investments in high intensity growing methods would be promoted and tested, such as those seen at Lufa Farms in Montreal, and the effective methods would be standardized.

3. Sharing the Evidence

A strong knowledge translation plan will be created and continuously updated as new practices are developed. This will ensure program stakeholders understand the rationale for recommendations, can estimate outcomes, and can compare outcomes based on consumer preferences. The plan would be dynamic and iterative including the synthesis, dissemination, and exchange of knowledge. Further, it would mobilize this knowledge to influence policies and practices that are barriers in creating a food secure ecosystem.

4. Supporting Strong Governance

Change will not be realized without shared governance, collective engagement, a common interest in planning and implementation, and a shared accountability for outcomes. A strong commitment from government, non-government agencies, and volunteer sector champions are necessary for the successful creation of a food secure ecosystem. Within the program there would be a collective leadership among stakeholders, site leads, and the Oshawa Food Council (See Figure 1).

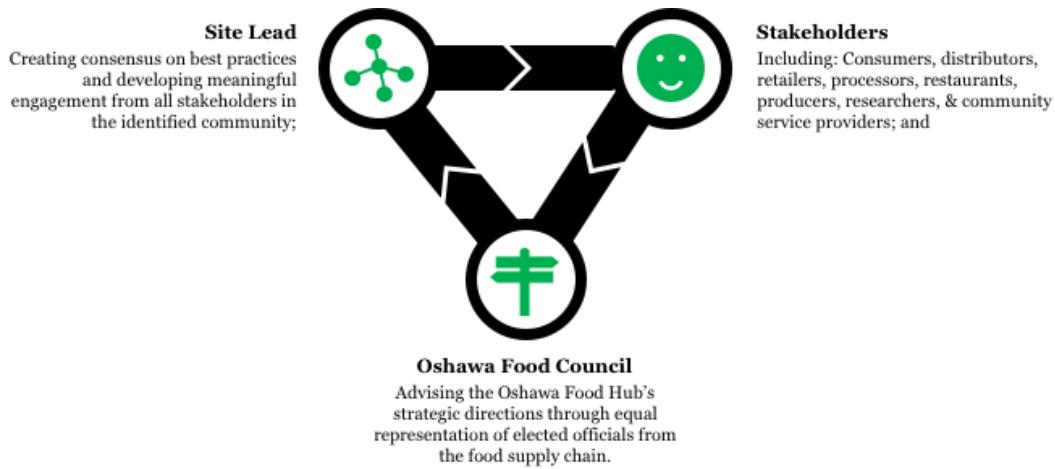


Figure 1. The Oshawa pilot program governance structure.

Community Outreach



Children & Youth: High schools, colleges, universities, youth centres, and social media presence.



Seniors: Retirement homes, long-term care facilities, nursing homes, and newspaper advertisements.



Low-income families: Food banks, soup kitchens, community health centres, non-profit organizations (e.g., John Howard Society, YMCA, etc.), and social media presence.

Support Services



Economical: Standardized labels (e.g. Foodland Ontario, etc.), online support network, access to retailers and restaurants, and beginner's guide to selling food/non-food products.



Educational: Access to best-practices guidelines, research and innovations, dietician's expertise in regard to nutrition, beginner's guides to producing and processing food.



Environmental: Land management best practices, water management best practices, guide to manage inputs in production of food, and assessment of land.

Program Evaluation



Outcome measurements:

- Common indicators across projects;
- Community defined indicators: unique needs and capacity;
- Community goal attainment: experience, engagement, and satisfaction;
- Prevalence indicators: hunger, fear of not having enough to eat, satiety, optimal levels of food to eat;
- Community engagement and support; and
- Other indicators: employment, wellness, housing, school attainment, etc.



Oshawa Food Hub's Launch

Figure 2. Proposed Pilot Program

“New partnerships and collaborations must be produced with Ministries such as Community and Social Services, Environment and Climate Change, Health and Long-Term Care, and others to be truly effective. The current approaches have been impressive but have not created a substantive impact on the quality of health or environment in Ontario.”

VI. MEASURING PROGRESS

The creation of the proposed pilot program will include both process and outcomes measures. Some measurements for key outcomes include:

1. Improved access:
 - Number of low-income consumers; and
 - Number of Indigenous consumers.
 2. Better alignment of resources:
 - Economic analysis of high-intensive growing methods versus traditional methods; and
 - Less duplication leading to improved efficiency.
 3. Environmentally and socially-friendly production and distribution:
 - Consumer satisfaction surveys; and
 - Environmental assessments.
 4. Evidence-based practice documented and shared:
 - Creating a network of learning; and
 - Social media presence consistent with population needs.
-

VII. CONCLUDING REMARKS

The City of Oshawa can take this opportunity to transition itself from a “Motor City” to a sustainable “Green City.” Initiatives are blooming across the city that are filled with enthusiasm for local food. The time is now to put the shovels into the ground and dig some roots to grow a community-driven Oshawa Food Hub.



CHRIS SMITH is a graduate from the first Bachelor of Public Health degree in Canada at Brock University and has experience and expertise in tackling emerging public health issues. One of the many public health issues he is most passionate about is the relationship between food and health, which he explored further in his food security studies at Ryerson University. Currently, Chris is in a Master of Public Administration program at Dalhousie University where he is getting a deeper understanding of the health and social programs and policies within the public sector.



BUILDING A CULTURE OF INNOVATION: THE CASE OF MUNICIPAL WATER OPERATIONS

SIMRAN CHATTHA & JOSH CHONG, WATERTAP ONTARIO

Change isn't easy – it comes with a certain degree of risk. In highly regulated environments such as water utilities, taking risks is not an option. Today, many municipalities recognize that "business as usual" also poses a significant risk. As the public sector deals with aging infrastructure, growing demand for services, and a changing climate, we take chances by failing to act.

In response to these threats, leading utilities are finding creative ways to improve systems and services with new technologies, processes, and solutions. They are also tapping into their people, opening doors for staff to contribute and test new ideas. To build a utility culture that encourages and rewards innovation takes courage. For many, it also means committing to a different view of risk (while still meeting all standards and requirements, of course) and to helping teams establish new ways of working together.

I. A NEED TO BREAK DOWN THE BARRIERS

Formed as part of Ontario's *Water Opportunities Act* in 2010, the Water Technology Acceleration Project (WaterTAP) works with many of the province's most innovative water technology companies, offering programs and services to help them grow into globally competitive businesses. While many of these companies offer truly disruptive solutions that address utility pain points, they often find it challenging to make sales in a risk-averse market like Ontario. Not only do their target customers grapple with risk, they often lack the guidelines, tools, and procedures to procure, approve, and implement non-traditional solutions.

To help companies and utilities break down these and other barriers, WaterTAP recently launched the Change Leaders Lab, an initiative that brings together sector stakeholders to determine effective ways for the water sector to innovate and, at the same time, manage the real (and perceived) risks of implementing new approaches.

"We want to ensure the benefits of innovative solutions aren't overshadowed by the challenges," says Dr. Lesley Herstein, the Lab's Director. "We have a particular interest in the barriers that innovative companies face on the path to sales in Ontario, and we're curious to learn more about how municipalities are adopting innovative water technologies."

Using social innovation and design thinking approaches, the Lab works with "change leaders" to gain insight into barriers, collaboratively redefine the problems, identify opportunities to address them, develop and test interventions, and share and scale the successes.

II. YORK REGION'S COMMITMENT TO INNOVATE

The Regional Municipality of York in Ontario is a change leader. The municipality provides service to more than 1.2 million residents and continually looks for ways to implement innovative technologies, improve business processes, and collaborate with external organizations to increase efficiency within its operations.

As part of its organization-wide commitment to innovation, York Region has already taken some key steps. In December 2017, it became the first Canadian municipality named to the Leading Utilities of the World. It also joined The Water Research Foundation's Leaders Innovation Forum for Technology (LIFT) program, which provides municipalities with a place to share information, expertise, and experiences with using different technologies through a Utilities Working Group.

Around the same time, York Region initiated internal discussions among staff and management to better understand how innovative solutions move from ideation to adoption, particularly in its Environmental Services department – the team responsible for delivering water, wastewater, waste management, forestry, and corporate energy services.

“York Region is a process-driven organization,” says Wendy Kemp, Acting Director of Strategy and Innovation in the Environmental Services department. “We needed a transparent, effective process to take these new ideas, unpack and analyze them from all angles, address their feasibility, and fully understand the risks and legalities.”

By having an organizational process that supports innovative ideas, Kemp says, the Region could better foster a culture of innovation.



III. MAPPING THE TECHNICAL AND CULTURAL BARRIERS

Working with WaterTAP, York Region’s Environmental Services department launched a project to explore the department’s process and better understand its internal barriers. In the first phase, a project team created a survey to understand the technical issues that York Region staff faced in delivering water and wastewater services. Common issues included ongoing maintenance and replacement of aging infrastructure, resourcing for performance optimization, and managing odour in wastewater collection.

The next project phase helped the team understand the department’s internal culture, identify how it works with partners and regulators, and set goals for the future. The team conducted interviews with management and Region staff in several departments of the organization. They mapped how York Region currently adopts innovative water and wastewater technologies. They also looked at the key challenges staff face when implementing new ways of doing business.

IV. UNDERSTANDING THE BARRIERS

Next, Regional staff formed an Innovation Committee comprised of senior management and staff from Environmental Services. The committee reviewed the results of the Region's project with WaterTAP and conducted a root cause analysis to gain a deeper understanding of why these systemic barriers existed, and how they might be addressed.

"This analysis is helping the Region develop ways to break down its internal barriers," says Lisa Lin, Senior Program Analyst. "It's a very important step because it will result in support and tools that staff will need in order to be innovative in their day-to-day work, and ultimately, in delivering valuable services to our residents."

Lin says the project with WaterTAP helped the department realize there are many ways to improve service delivery. "We can start eliminating barriers by improving communication between departments," she says. "Most importantly, this project showed us that change and innovation begins in the way we work together," Lin says.

V. MOVING FORWARD AS A SECTOR

Supporting innovative ideas and projects does not always come naturally, or easily. In the water sector, there is an understandable reluctance to implement new solutions that are perceived to disrupt established systems, even if such approaches stand to improve services. It takes a significant commitment to change beliefs and behaviours.

It also takes effort to encourage a "safe-to-fail" culture. Today, York Region's Environmental Services Innovation Committee is strengthening a foundation to help staff connect with the right people, internally and externally, to develop and test new solutions, processes and technologies, while ensuring the right tools and resources are in place once staff are ready to implement their ideas.

York Region will continue to consult WaterTAP as it progresses with its work. "The Region has identified some potential and promising opportunities to collaborate with WaterTAP in the future," Lin says. "Once we have solidified a culture that fosters innovation throughout the department, we plan to explore ways to adopt some of the innovative water technologies emerging in the marketplace."



SIMRAN CHATTHA is a Content Writer and Strategist in WaterTAP's communications team. She primarily works with Ontario's water technology companies to develop effective communication tools as they build their businesses. Prior to joining WaterTAP, Simran's roles have included a diverse range of responsibilities in external communications. She has played a leading role in developing e-newsletters and social media campaigns to increase brand awareness of environmental programs that serve Ontario. Simran has a Bachelor of Environmental Studies degree from York University and Masters in Political Science from the University of Guelph.



JOSH CHONG is a Communications Strategist in WaterTAP's communications team. He has a strong affinity for writing, communications, and building strategy from more than a decade of diverse experiences in marketing, pedagogy, advertising, technical writing, research, editorial work, and creative consultation. Through freelance work with WaterTAP that began in September 2014, Josh developed a passion for the water sector, which led to his current involvement with the organization's strategic efforts on the communications front. Josh holds an M.A. in Literary Studies, Rhetoric and Composition, and a Co-op Honours B.A. from the University of Waterloo. He is also currently a Ph.D. candidate in English Literature, Rhetoric and Communications at York University.

END NOTES

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ADVICE FROM A 'NEW' MUNICIPAL LEADER: HOW TO MAKE EVERY MOMENT COUNT IN THE CHANGING MUNICIPAL WORKPLACE

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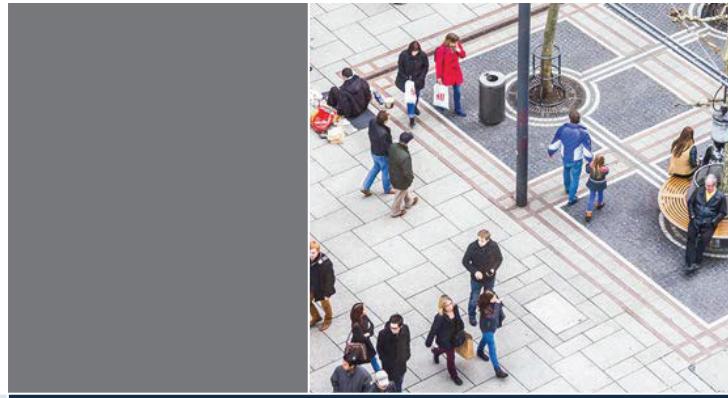
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