

# Board Roles and Responsibilities

Simply stated the role of the library board is to govern. The phrase ‘governance’ refers to the board’s activities to oversee the purpose, plans and policies of the organization.

Under the ***Public Libraries Act, R.S.O 1900, c. P44***, public libraries in Ontario must be operated under the management and control of a public library board. The Board is the legal authority of the library and is the ultimate authority for decision-making and has the authority to formulate policies concerning the operations and services of the public library. While boards are accountable for the library’s services, they are not responsible for managing the programs or the people who carry out those programs. The board’s role is oversight and monitoring of the library’s performance. In other words,

*library boards are not there to run the library,  
but to ensure that the library is properly run.*

Governing is *different* from managing. The governing role differs from that of administration, in that governance requires different information. It deals with the long term, rather than the short, and with priorities, rather than details. The nature of governance is proactive and focused on the future and on the relation of the organization to the community’s development.

The chart on the next page shows the roles and responsibilities of the library board side by side with those the Library’s Chief Executive Officer. The work of the board and the work of the CEO are connected but quite specific and require different skills. The board exists to direct the vision and mission of the library and ensure that the community’s needs have been met but has no direct responsibility for operations. The board is focused on what the library should accomplish, and the CEO focuses on how it is done.

	<b>Library board roles and responsibilities</b>	<b>CEO roles and responsibilities</b>
<b>Legal responsibilities</b>	<ul style="list-style-type: none"> <li>▪ Knows local and provincial laws; responds to new legislation affecting libraries.</li> <li>▪ <b>Ensures</b> that complete and accurate records are kept by the library.</li> <li>▪ Is legally responsible for the library to the council.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Knows local and provincial laws; responds to new legislation affecting libraries.</li> <li>▪ Keeps complete and accurate records concerning finances, personnel, inventory, insurance, and annual report.</li> <li>▪ <b>Is legally responsible to the library board.</b></li> </ul>
<b>Board meetings</b>	<ul style="list-style-type: none"> <li>▪ Attends and participates in all regular and special board meetings.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Reports at each board meeting and always attends except when own performance are to be discussed.</li> </ul>
<b>Planning</b>	<ul style="list-style-type: none"> <li>▪ Assesses the library needs of the community.</li> <li>▪ Sets the mission and overall direction of the library in response to the needs of the community</li> <li>▪ Approves and participates in the development of the library's goals and actions.</li> <li>▪ Approves the plan for meeting the library's goals.</li> <li>▪ Evaluates the performance of the library annually or more often, considering budget vis-à-vis service rendered, library use, personnel, and public relations.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Assists the board to know community needs and to carry out formal assessment when required.</li> <li>▪ Analyzes library strengths and weaknesses.</li> <li>▪ Participates in developing the library's goals and objectives</li> <li>▪ Formulates a plan for meeting the library's goals.</li> <li>▪ Recommends programs and activities.</li> <li>▪ Administers the library to conform to established goals.</li> </ul>
<b>Policy making</b>	<ul style="list-style-type: none"> <li>▪ Determines policies for the library after careful analysis of the recommendations of the Library Chief Executive Officer (CEO).</li> </ul>	<ul style="list-style-type: none"> <li>▪ Recommends policies, advises board, and supplies examples and sources of information.</li> <li>▪ Establishes procedures for policy implementation</li> <li>▪ Interprets policies &amp; accompanying procedures to staff &amp; public.</li> </ul>
<b>Personnel</b>	<ul style="list-style-type: none"> <li>▪ Appoints the CEO.</li> <li>▪ May approve and review senior level staff recommended by CEO.</li> <li>▪ Approves salary scales for all staff, within the context of the library's Pay Equity Plan.</li> <li>▪ Ensures that appropriate steps are taken to handle any grievances that have not been satisfactorily resolved.</li> <li>▪ Evaluates the CEO's performance annually.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Hires and directs subordinate staff members, adhering to board policies.</li> <li>▪ Responsible for salary negotiation and administration</li> <li>▪ Monitors working conditions for staff.</li> <li>▪ Handles all grievances and keeps the board informed.</li> <li>▪ Ensures that annual performance appraisals are conducted on all staff under the CEO's supervision</li> </ul>
<b>Financial responsibilities</b>	<ul style="list-style-type: none"> <li>▪ Analyzes preliminary budget request submitted by the CEO; makes necessary changes.</li> <li>▪ Explores all ways of increasing library's income through new sources; determines method used.</li> <li>▪ Officially adopts budget and prepares the budget for presentation to municipal council.</li> <li>▪ Using the library's budget document as a guide, presents an estimate of funds required by the library at the municipal council and committee meetings. (This may vary with library size and the level of integration with the municipality.)</li> <li>▪ Ensures that proper financial control measures are in place to expend the budget: <ul style="list-style-type: none"> <li>• with due diligence</li> <li>• according to board priorities</li> <li>• as approved</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>▪ Prepares preliminary budget in conjunction with the Board or its committee based upon present and anticipated needs, considering the Board's plan for growth.</li> <li>▪ Liaises with municipal treasurer and other municipal staff regarding the budget.</li> <li>▪ Participates in budget presentation, supplying facts and figures, analysis, and comment as requested.</li> <li>▪ Maintains and monitors the budget and attends to problem areas when they arise.</li> </ul>
<b>Community relations</b>	<ul style="list-style-type: none"> <li>▪ Advocates the library's services in the community.</li> <li>▪ Advocates the community's needs with the library.</li> <li>▪ Develops a strong and communicative relationship with the municipal council.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Maintains an active program of public relations, including promoting library services in the community.</li> </ul>

From the chart, it is clear that a library board has legal responsibilities to adhere to specific legislation as well as general responsibilities for planning, policy making, personnel, financial with an additional role to play in community relations and advocacy. This document will provide a synopsis of these roles and responsibilities for the library board in Ontario.

## Responsibility #1 – Legislation

Public libraries are governing boards and also legal corporations with the authority to govern the library's affairs given to them under the ***Public Libraries Act, R.S.O 1900, c. P44*** (PLA). The PLA places certain responsibilities on library boards including these three legislative items:

- The library board must fix times and places for board meetings, call and conduct them as public meetings, unless the item falls within the parameters of a closed session.
- The library board will **ensure** that full and correct minutes are kept of every meeting, including any meetings of its committees.
- The library will **ensure** that an annual report is supplied to the Ministry responsible for public libraries, along with any other reports required by the *PLA* or by the Minister from time to time.

The library board members must be aware of other local by-laws or legislation which may affect the working of the libraries; however, if there were an inconsistency between a provision of the general legislation and a provision of the specific legislation, the *Public Libraries Act* provision would take precedence with respect to a public library board. This is the case, unless the general legislation indicates otherwise, e.g. where the legislation states that it operates "despite any other Act". The other pieces of legislation which might be applicable in a given situation within a public library include: *Employment Standards Act, Pay Equity Act, Municipal Conflict of Interest Act, Corporations Act, Occupational Health and Safety Act, Income Tax Act* and *MFIPPA (Municipal Freedom of Information and Protection of Privacy)*.

More information about these pieces of legislation and the library board is provided in the Governance HUB section entitled "Legislative Context for Ontario Public Libraries".

## Responsibility #2 – Planning

A key role of the board is defining the library's purpose and direction. This work begins with defining and articulating the library's mission and values. Providing inspiration through the expression of a vision of library service is part of the stewardship of the mission. The vision for the library looks at where the library is heading and how it can anticipate the future needs of the community. There needs to be a continual review and evaluation of the mission and vision to determine that it accurately reflects the changing conditions and needs of the community. The mission and vision for library service inspires actions but also speaks to the values of the public library.

**Strategic Directions and Planning** – Another part of the board’s responsibility for planning is to steer the library to achieve specific end results. To define community needs, the board must analyze and assess the library environment. This requires close and regular contact with the community. Board members must understand the cyclical nature of planning and ensure that it takes place regularly. Once community needs are identified and priorities set, budgets are determined according to these needs, certain service responses or goals are chosen, and staff develop the necessary operational plans to implement these goals. The board will monitor progress, so the process continually moves forward.

While planning, the library board must remember the basic responsibilities of the library under the **Public Libraries Act (PLA)**. Section 20(a) of the *PLA* directs a public library board to provide “comprehensive and efficient public library service” reflecting the community’s needs. The board has a duty to provide comprehensive and efficient public library service that reflects the community’s unique needs. Section 20(b) states that French/English usage is mandated as “where appropriate” and Section 10(d) allows for special services such as art galleries, museums, archives. From there, the *PLA* goes on to direct the board regarding fees for library service with the charges for public library service outlined as follows.

The board must not charge for: (Section 23 (1) and (2))

- admission to the library
- using library materials in the library
- reserving or borrowing specified circulating materials
- using those reference and information services as the board considers practicable

The board may charge for: (Section 23 (3))

- certain services not outlined in Regulation 976
- use of portions of the library building not being used for public library purposes
- library services for persons who do not live in the municipality (non-residents)

Section 23 (4) of the *PLA* says that the board may make rules/policies to govern these areas:

- use of library services
- exclusion of persons found to be disruptive or causing damage
- fine structures
- suspension of library privileges for breaches of policy
- regulation of all other matters associated with library management, policy and property

**Measure and report on results** - The evaluation of the organization is dependent upon the identification of goals and objectives through a regular planning process. Achievement of these goals and objectives is determined by measuring whether the programs and activities have achieved the results intended. The board must ensure that outcomes are being measured rather than activities.

## Responsibility #3 – Policy making

Policy is an important governance tool. Written policies are based on collective values of the board, staff, and community, and are integral to ensuring the continuity of the library board over time. Setting policy is important board work because it is through discussing policy that the board expresses its philosophy and priorities. In working through tough issues, the board can reach decisions that provide a unified and clear message that will guide actions. For example, it is part of the board's work to decide the boundaries of governance and management. Unless there is clear direction, the board and the CEO will be confused about their respective roles.

New board members should familiarize themselves with board policies. All policies are approved at duly constituted board meetings and are subject to regular review and revision. The exception to this pattern of board approval for all policies is found with library boards who follow the "Policy Governance Model". In that case, the library board approved governance policies and then delegates the development and approval of operational policies to the Library CEO and staff. More information on this model is shown below.

### A note about The Policy Governance Model

Policy Governance®, an integrated board leadership paradigm created by Dr. John Carver, is a model of governance designed to empower boards of directors to fulfill their obligation of accountability for the organizations they govern. The model enables the board to focus on the larger issues, to delegate with clarity, to control management's job without meddling, to rigorously evaluate the accomplishment of the organization; to truly lead its organization.

In contrast to the approaches typically used by boards, Policy Governance separates issues of organizational purpose (ENDS) from all other organizational issues (MEANS), placing primary importance on those Ends. Policy Governance boards demand accomplishment of purpose, and only limit the staff's available means to those which do not violate the board's pre-stated standards of prudence and ethics.

The board's expectations for itself set out self-imposed rules regarding the delegation of authority to the staff and the method by which board-stated criteria will be used for evaluation. Policy Governance boards delegate with care. There is no confusion about who is responsible to the board or for what board expectations they are responsible.

From: The Policy Governance ®Model, <https://www.carvergovernance.com/model.htm>

In all library boards, policies are developed in conjunction with the foundation documents that provide the basic framework for the governance of the library board. These documents are legislation such as the [Public Libraries Act, R.S.O. 1990, chapter P.44](#), the [Municipal Act](#), the [Municipal Conflict of Interest Act](#), and the enabling by-law enacted by the municipality to set up the library board.

### By-laws and Governance Policies

All library boards need to develop **by-laws**, that is, regulations and procedures that specify board operations. From the specifics of the *Public Libraries Act*, the library board would then create by-laws setting out the specifics of how the board is to operate. Stylistically, some library boards only include a few by-laws in their records, preferring to have members refer to the PLA for these details, whereas others include details from the PLA in their written board by-laws. The *Public Libraries Act* does provide the basis of bylaws of the library board by specifying:

- Name of the board (PLA, Section 3)
- Composition of the board (PLA, Sections 9-13)
- Officers and staff (PLA, Sections 14 & 15)
- Meetings (PLA, Section 16)
- Powers and Duties of the Board (PLA, Section 20)

All library boards need **governance** policies to provide direction for the board. Keep in mind that those using the Policy Governance Model would include specific policies in this section to delegate authority to the CEO and staff. Sample governance [policies](#) (also known as the Trillium Public Library Policies) have been posted on the OLS website, and cover these topics:

- Purpose and Duties of the Board
- Board Orientation and Training
- Committees of the Board
- Policy Development
- Planning
- Financial Control/Oversight
- Board Advocacy
- Board-CEO Partnership
- Board Evaluation
- Succession Planning

### Human Resources Policies

In addition to governance policies, the library board will require several other types of policies including some on human resources and volunteers. These policies are often general in nature, as some details such as payroll administration fall into the procedural realm. These policies must be reviewed from time to time to ensure compliance with relevant legislation.

One example is found in the requirements under the Ontario *Occupational Health and Safety Act (OHSA)*. Among other requirements, Section 25 of the OHSA (within Part III) reads that an employer shall prepare and review at least annually a written occupational health and safety policy and develop and maintain a program to implement that policy.

In 2010, new OHSA policy and program requirements (Bill 168) relating to workplace violence and harassment were added to the OHSA and now the employer is required to write policy with respect to workplace violence and workplace harassment and then review those policies as often as is necessary, but at least annually.

The Library Board is the employer of the staff working in the public library (more on that aspect to follow) and so must ensure that there are policies in place to meet those legislative requirements – and that each of those specific policies is reviewed EVERY year, regardless of how often the other policies of the library board are reviewed.

### Operational Policies

Section 23(4) of the [\*Public Libraries Act\*](#) gives the board the authority to make policy on use of library services, admission to the library, exclusion of disruptive persons, imposing fines, suspension of library privileges for breaches of rules, regulation of all other matters connected with the management of the library and library property.

The board's operational policies should address all aspects of library services and programs. Clearly written policies express the board's beliefs, sets out roles and responsibilities, and prescribe actions. Written policy also promotes consistent, objective decisions, and stands as a consistent record to which the community may refer. While the by-laws and governance policies are often developed by the board, the operational policies are commonly developed by library staff, and then approved by the library board (unless the library operates as a Policy Governance Board in which case, the operational policies are delegated to the staff).

Sample operational [policies](#) are also posted on the OLS website and include such topics as these:

- Collection Development Policy Number: OP-04
- Resource Sharing - Policy Number: OP-05
- Programming Policy - Policy Number: OP-06
- Internet Services Policy - Policy Number: OP-07
- Meeting Rooms - Policy Number: OP-08
- Community Information - Policy Number: OP-09
- Children in the Library - Policy Number: OP-10
- Teens in the Library - Policy Number: OP-11
- Circulation - Policy Number: OP-12
- Local History - Policy Number: OP-13
- Information Services - Policy Number: OP-14
- Records Retention and Schedule – Policy Number: OP-17

There are two other pieces of legislation which dictate policies required in a library. The library board must meet the standards set out by the *Accessibility for Ontarians with Disabilities Act (AODA) 2005* and its regulations and provides accessible library services. In accordance with the *O. Reg 165/16*, the library must have an Accessibility policy covering Customer Service elements and the library's other policies such as those for purchasing and Internet services, must address accessibility. In addition, the human resource policies will address training on AODA regulations and the *Ontario Human Rights Code* and accommodation for job applicants and accommodation plans and the collection development policy must address the availability of materials in a variety of accessible formats (e.g. print, audio, visual, digital, etc.).

Another piece of legislation, the *Municipal Act*, contains three specific requirements for all local boards including the Library Board. Found at [Section 270\(2\) of the Municipal Act](#) and effective from January 1, 2005, it reads.

#### **"Policies of local boards**

- (2) A local board shall adopt and maintain policies with respect to the following matters:
1. Its sale and other disposition of land.
  2. Its hiring of employees.
  3. Its procurement of goods and services. 2006, c. 32, Sched. A, s. 113"

For these three policies required under the *Municipal Act*, keep in mind that even if the library board is using policies of the municipality, the board must pass these policies as their own and include with their other policy documents.

### **Responsibility #4 – Personnel**

The ***Public Libraries Act, R.S.O 1900, c. P44*** is very specific about personnel and the library board. Some key points from the legislation that often get asked by board members are as follows:

**Staffing** Section 15 (1) of the *PLA* states that “a board may appoint and remove such employees as it considers necessary, determine the terms of their employment, fix their remuneration and prescribe their duties”

- The Library Board is the employer of library staff. It is possible to have the municipal staff look after payroll and HR administration, but this arrangement would be made by mutual consent between the library board and the municipal council

**Chief Executive Officer** Section 15 (2) of the *PLA* states that “a board shall appoint a chief executive officer who shall have general supervision over and direction of the operations of the public library and its staff, shall attend all board meetings and shall have the other powers and duties that the board assigns him or her from time to time.”

- Appointment of a CEO by the Library Board is required under subsection 15(2) of the *PLA* and, as an employee, the CEO is not a voting member of the board
- As noted in the Ministry's webpage "[Understanding Ontario's Public Libraries Act](#)": "The CEO is a library board employee and not a municipal employee. The CEO reports to the board and not to the municipality. The CEO does not report in a dual relationship to both the board and the municipality".
- There are no provisions in the *PLA* for a dual report to a board and a municipality, but the Library CEO could participate in meetings of senior municipal manager in an information and cooperation capacity.

**Secretary and Treasurer** Section 15(3) states that the board shall appoint a secretary, and Section 15(4) that the board shall appoint a treasurer. Section 15(4) states that that same person may be both the secretary and the treasurer, and the chief executive officer may fill those roles. Some have asked **administrative functions such as payroll can be done by entering into an agreement with its municipality**. The Ministry webpage, "[Information on the Public Libraries Act](#)" provides this response: "Several library boards and their municipalities already carry out administrative functions in this way. Where such administrative financial agreements exist, directions regarding disbursing library funds remain up to the library board."

**Delegation of authority** Under the personnel responsibilities, the Board needs to clearly delegate authority. Within this element, the Board needs to appoint a qualified CEO, to supervise the incumbent, and to evaluate the performance of the CEO annually. The board delegates authority to the CEO to manage the day-to-day operations of the library. The board directs and evaluates the work of the CEO by establishing policies, budgets and plans that reflect the board's strategic directions.

As noted, the [Public Libraries Act](#) requires the board to appoint a Chief Executive Officer (CEO) "who shall have general supervision over and direction of the operations of the public library and its staff, shall attend all board meetings and shall have the other powers and duties that the board assigns to him or her from time to time" Section 15 (2). The board must ensure that the library is run by a qualified CEO and needs to have a policy in place that clearly shows how authority is delegated to the CEO; outlines what the board expects the CEO to achieve through the strategic plan of the library; and identifies any requirements the board may have about how the CEO is to carry out his or her responsibilities. This policy must be supported by regular monitoring including an annual evaluation of chief executive officer by the library board to review the CEO's adherence to the policies set by the board.

## Responsibility #5 – Financial responsibilities

The *Public Libraries Act, R.S.O. 1990, c P.44* specifies the responsibilities for library boards related to the accountability to the municipal or county council which established the library board in the first place as well as financial control. Financial oversight is a major aspect of the board's role in ensuring accountability. The board will have to know how its assets are protected and that resources are being used wisely. It is also necessary to know in advance what data the board needs to prove accountability. The board must demonstrate due diligence to ensure that there are adequate controls on how money is handled, purchases made, debts settled, and employees and customers treated.

**Treasury and Banking** - Section 15 (4) of the PLA requires the appointment of a library board Treasurer, who receives and accounts for all the board's money; opens an account or accounts in the name of the board in a chartered bank, trust company or credit union approved by the board; deposits all money received on the board's behalf to the credit of that account or accounts; and disburses the money as the board directs.

- The PLA does require the library to have its **own** bank account, and remittances from the Ministry are only deposited into the Library Board's bank account.

**Budget estimates** - The board must submit budget estimates and an audited financial statement to the municipal council(s) each year (Section 24 (1), (2) and (7)). Section 24 (1) of the PLA specifically states that "a public library board, county library board or county library co-operative board shall submit to the appointing council, annually on or before the date and in the form specified by the council, estimates of all sums required during the year for the purposes of the board". Then Section 24 (2) states that "the amount of the board's estimates that is approved or amended and approved by the council shall be adopted by the board and shall be paid to the board out of the money appropriated for it."

**Property** - The board must seek council approval to acquire and dispose of real property and to raise funds through debentures (Section 19 and Section 25).

**Audit** - The Ministry's "[Information on the Public Libraries Act](#)" provides the following information on the library audit. "[Section 296 of the Municipal Act, 2001](#)" requires municipalities to appoint an auditor licensed under the [Public Accounting Act](#). Every year, the auditor must audit the accounts and transactions of the municipality and its local boards and express an opinion on the financial statements of these bodies based on the audit. Recipients of library funding under [section 30 of the PLA](#) must supply audited financial statements and information to the minister. This includes public library boards as well as First Nation bands, local services boards and municipalities that contract for library service. A library board may supply its financial information in a consolidated audited financial statement, as long as the financial information on the library board is identified. This could be done in a separate schedule or appendix of the consolidated municipal financial statement."

## Responsibility #6 – Community relations and Advocacy

An understanding of advocacy is essential to working with council and with the community. Advocacy means "verbal support or argument for a cause." It covers a broad range of activities. When we recommend something, we are advocating for it. Advocacy is that aspect of governance that is about relationships. As a body appointed by the municipal or county council to provide library service to the community, the library board represents all of the community members – both those who use the library and those who do not. It is a key board responsibility to connect the library to community members and to the municipal council.

Municipal or county council, in most cases, also provides much of funding to the library. The board must ensure that the necessary resources are available to meet community needs. Consequently, the board must have regular and clear contact with the community and the council and ensure that communication is two-way. The board must make certain that the community knows what the library can offer and determine the community's needs for library service. The board must then convince council of both the community's needs with respect to

library service, and the potential of the library in meeting those needs. Adequate funding is the desired result of this process.

The board must communicate to municipal council and the community the need for library service, report on the library's effectiveness in meeting the community's needs, and advocate for the necessary resources to deliver service.

A key to advocacy is to align agendas. Council and the library board both represent the same community. It is the job of the board to find where library plans and those of council come together, and to reach agreement to work together for solutions to common issues.

### **And a final responsibility: Accountability of the board**

Focusing on the work of governance will ensure that the board is accountable to the municipality and the community. Planning documents, budgets and policies provide detailed information about how the board's responsibilities have been carried out. These are all parts of a strong effective board.

As part of being accountable, a final responsibility of the board to evaluate its own performance. Part of the work of a board is to work on the board dynamics. Evaluation is the process by which the board determines if it is achieving what it should. The performance of the board is dependent upon the performance of all its members. The board is comprised of a number of individuals but operates as a single unit. No one board member or sub-group of members has any power to act unless delegated to do so by the entire board.

John Carver, whose [Policy Governance Model®](#) offers a clear path to effective governance, emphasizes the importance of board self-evaluation. He suggests that self-evaluation is part of the task of governing. Rather than thinking of evaluation as onerous, it is perhaps better considered as practicing a skill. If the board is not adept at assessing its own skills, how can it govern the skills and performance of others? For Carver, the best way, then, to determine how well you did a job is to assess whether you've done what you said you would do.

An evaluative process must speak directly to previously set criteria (policies, goals and objectives that define what the library does and how it does it). Ideally, the full board should carry out the evaluation together. Since everyone is responsible for the success of the board, everyone is responsible for its evaluation. The board considers its own performance on a regular basis, preferably at every meeting, but at least annually.

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