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| <b>Policy:</b>            | 7.4.1                        |
| <b>Approved By:</b>       | Trust Council                |
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| <b>Amendment Date(s):</b> | June 8, 2021                 |
| <b>Policy Holder:</b>     | Legislative Services Manager |

## **INCOMING LOCAL TRUST COMMITTEE CORRESPONDENCE: GENERAL**

### **Purpose**

To establish guidelines for processing incoming correspondence addressed to local trust committees, local trustees and local planning services staff, in a consistent, efficient and transparent manner.

### **Scope**

This policy addresses how to process incoming correspondence to local trust committees, local trustees and local planning services staff.

The Legislative Services Manager is authorized to make minor, non-substantive amendments to this policy to maintain its currency, such as updates to references to legislation and position titles. A log of such minor amendments will be maintained as an attachment to the policy.

The Legislative Services Manager and other staff may develop administrative procedures and tools to implement this policy.

### **Principles**

1. Local trustees, local trust committees and local planning services staff should receive correspondence addressed to them in an expeditious manner.
2. Correspondence addressed to a quorum of a local trust committee that is relevant to the actions or decisions of the local trust committee should be received in an open and transparent manner, so that those with interests in the topic have an opportunity to hear and respond to all information considered by the local trust committee that has been received within the relevant time limits for decision-making.
3. Despite the principles of openness and transparency expressed in Principle 2, Islands Trust bodies should not consider correspondence from anonymous sources and should not consider or publish written materials that are defamatory, profane or otherwise inappropriate for general circulation. Senders of such correspondence should have the opportunity to have their views considered by a local trust committee by being informed of the necessary amendments that would make their correspondence eligible for receipt and circulation on an open public agenda.

### **A. Definitions**

"Correspondence" means any addressed written communication received by mail, courier, facsimile transmission, email, webmail or other electronic format, or in person.

"Defamatory" means false statements communicated to other people about a person that tends to hurt the person's reputation.

"Webmail" means email that is received through generic email addresses posted on the Islands Trust website.

## **B. Policy**

### **Guidelines**

1. Correspondence addressed to local planning services staff and individual trustees
  - 1.1 All incoming correspondence received by planning support staff that is addressed to a local planning services staff person or a local trustee, and is not marked private and/or confidential, is opened and forwarded to the addressee.
  - 1.2 Correspondence addressed to individuals that is marked private and/or confidential is forwarded to the addressee unopened.
  - 1.3 The Islands Trust maintains individual email addresses for each local trustee during their term of office and for each staff member during their term of employment. Such addresses, and the contents of the related inboxes, are managed by the individual named in the address in accordance with records management policies and procedures, but are ultimately part of the organizational record of the Islands Trust, rather than a private record.
  - 1.4 Correspondence addressed to an individual trustee, including emails sent to the individual trustee's personal or Islands Trust email account, which is not considered by that trustee to be intended for the local trust committee, is not forwarded by the trustee to other members of the local trust committee or to staff. If a trustee believes that the correspondence is intended to be for the local trust committee, or should be considered by the local trust committee and be part of the public record, the trustee advises the sender by direct response that, if the sender wants the local trust committee to consider the correspondence, it should be sent directly to the local trust committee at the appropriate email or regular mail address.
  - 1.5 Trustees should use the email addresses issued to them by Islands Trust for sending and receiving all official communications related to their role as an elected official. A separate private email address should be used for their personal communications.
  - 1.6 Correspondence related to the business of the local trust committee, that is addressed to more than one individual trustee (a quorum), is forwarded to the relevant planning support staff by the first named recipient, for distribution to the entire local trust committee and consideration for inclusion on the local trust committee's public agenda or for posting directly to the local trust committee's webpage under the pertinent subject heading.
  - 1.7 Bylaw complaints and correspondence regarding open bylaw enforcement files are forwarded to the Bylaw Compliance and Enforcement Administrative Assistant and are

not included in the public agenda of a local trust committee nor posted to the local trust committee's webpage

- 1.8 All correspondence received by Islands Trust staff or trustees in response to a Public Hearing Notice is forwarded to planning support staff or to the appropriate email address for Public Hearing submissions. Where a trustee receives such correspondence by email, a pre-approved standard reply message is used to inform the sender that the correspondence is being forwarded to planning support staff or to the appropriate email address for Public Hearing submissions.

## 2. Local Trust Committee Correspondence

- 2.1 The Islands Trust maintains group email addresses for each local trust committee that are the preferred address for distributing correspondence intended for all members of the local trust committee.
- 2.2 The Islands Trust offers the public the ability to access local trust committees through webmail addresses posted on the Islands Trust website. Planning support staff checks webmail for each local trust committee regularly to determine the appropriate distribution of the contents in accordance with this policy and guiding procedures.
- 2.3 All incoming correspondence received in an Islands Trust office that is addressed to a local trust committee is opened and forwarded electronically to the relevant local trust committee email address or to the appropriate recipient(s), with the exception of correspondence marked private and/or confidential, correspondence that is misaddressed, or unsolicited commercial correspondence unrelated to Islands Trust business.
- 2.4 If individual trustees receive correspondence described in 2.3 directly, including via email, they forward it immediately to the appropriate planning support staff that ensures the correspondence is distributed to the appropriate local trust committee email address.
- 2.5 Provided that the subject of such correspondence falls within the jurisdiction of the local trust committee, the original correspondence is forwarded to the Planner who ensures that the appropriate follow-up action is undertaken as follows:
  - 2.5.1 When correspondence may require a local trust committee response, the matter is brought forward on the next local trust committee agenda, provided it is received before the agenda deadline.
  - 2.5.2 Correspondence specific to an active development application or ongoing project may be received on a local trust committee agenda when that application or project is also on the agenda for consideration. Generally, correspondence for an active rezoning application, project or a development variance permit or temporary use permit is posted on the website under the relevant application or project. The Director of Local Planning Services or designate may direct that posting of correspondence cease where volumes are

overwhelming, there is uncertainty about defamatory statements or the correspondence is otherwise deemed inappropriate as determined by staff. Such correspondence may also be sent to the local trust committee group email address for information in the interim, depending on when the matter will next appear on an agenda

- 2.5.3 With the exception of correspondence posted directly to the local trust committee's webpage, as referenced in section 2.5.2, when correspondence may require local trust committee action or response and a staff report is essential for consideration, the matter is brought forward on the next local trust committee agenda with the relevant staff report, if it can be prepared in time. If a staff report is not prepared for the next agenda, the correspondence may be brought forward on the next agenda with an update from the Planner.
  - 2.5.4 With the exception of correspondence referenced in sections 2.5.2, 2.5.7, 2.6 and 2.7, where the Planner determines that correspondence should be received by the local trust committee for information, and it is received within the deadlines for agenda package preparation, it is placed on the next local trust committee agenda. Correspondence received after the agenda deadline for the local trust committee meeting is placed on the following agenda, unless the local trust committee agrees to consider it as a late agenda item because it is of an urgent nature.
  - 2.5.5 Misaddressed correspondence, for example to "Islands Trust" or to staff but is, in the opinion of the Planner, intended for a local trust committee is handled in accordance with sections 2.5.1 – 2.5.4.
  - 2.5.6 Correspondence of a general operational nature, including general inquiries and routine requests for information, where a decision or action of the local trust committee is not required, is answered directly by staff. The staff response is copied to the local trust committee for information, if the incoming correspondence was addressed to the local trust committee.
  - 2.5.7 Correspondence relevant to a matter that has been the subject of a Public Hearing and that is received after the close of that Public Hearing will be withheld from circulation to members of the relevant local trust committee until such time as it may be legally circulated to them. Trustees that receive such correspondence because it has been directed to the local trust committee's email address should refrain from opening or considering it, to the extent that this is practicable.
- 2.6 A local trust committee will not formally accept anonymous correspondence, or correspondence marked private or confidential, unless it could be considered in a closed meeting in accordance with Sec. 90 of the *Community Charter*.
  - 2.7 Correspondence that is potentially defamatory toward an individual or that contains profanities or language that the Legislative Services Manager (or their designate)

deems to be inappropriate will not be placed on a local trust committee's webpage or a local trust committee agenda that is open to the public.

- 2.8 Senders of correspondence referenced in sections 2.5.7, 2.6 and 2.7 that does not qualify for receipt by the local trust committee will be notified by staff explaining the reasons and what would be necessary to have the correspondence received, if applicable.
- 2.9 Hard copy correspondence qualifying for inclusion on an agenda or posting to a local trust committee's webpage must include the first and last name of the sender as well as their residential address, including postal code or mailing address where there is no residential address. Email correspondence qualifying for inclusion on an agenda or posting to a local trust committee's webpage must include the first and last name of the sender and their email address.
- 2.10 With the exception of correspondence referenced in sections 2.5.7, 2.6 and 2.7, correspondence submitted to the local trust committee is a public record and may be posted to a local trust committee's webpage or published in a meeting agenda that is available for viewing by the public in hard copy and on the Islands Trust website.
- 2.11 Personal information supplied by the sender in correspondence to the local trust committee is also part of the public record and will have contact information (email address, house number, phone number) severed and may have signature severed before being included in an open meeting agenda package.

**C. Legislated References**

*Community Charter*

*Freedom of Information and Protection of Privacy Act*

**D. Links to Supporting Forms, Documents, Websites, Related Policies and Procedures**

1. [Policy Manual: Procedural Fairness in Rezoning \(5.4.2\)](#)
2. [Policy Manual: Handling of Correspondence: Chair and Executive Committee \(7.4.2\)](#)
3. [Policy Manual: Communications \(6.10.2\)](#)