

What Is Governance?

<p>1. Legitimacy and Voice - <i>The fundamentals of the democratic system that support the elected government, the legislature, the rule of law and the legitimate role and functions of the province in carrying out the will of the people.</i></p>	<ul style="list-style-type: none"> a) A democratic process where all voices are heard and respected and innovation and creativity are embraced. b) Certain functions are delegated from ministerial control to preserve their legitimacy and integrity (e.g., appeals and quasi-judicial decisions, oversight of government, and areas vulnerable to political interference). Efficiency and operational flexibility are not the key drivers, though they are considerations. c) Delegation of operational and service functions, though driven by efficiency considerations, must be sensitive to public, stakeholder and delegated organization concerns, such as willingness and capacity to assume the delegated functions, service expectations and perceived risks.
<p>2. Direction and Purpose - <i>The mandate, vision and leadership of the Executive arm of government within the rule of law are upheld.</i></p>	<ul style="list-style-type: none"> a) The mandate, roles and responsibilities of a delegated organization should be set out in clear and detailed terms in an appropriate legal instrument – legislation, Order in Council, MOU or other contractual arrangement. b) Contractual arrangements should be based on full and open engagement with the delegated organization and incorporate the flexibility to respond to changing environments. c) Where the core values, caring attitude and commitment of the delegated organization are consistent with government and public interests and reflected in the purpose and direction of their service delivery. d) The delegated organization must have the authorities it needs to achieve its mandate, but only those authorities; the government must retain the residual authorities necessary to ensure overall public policy coherence and to address problems that might arise. e) Advance consideration should be given to the kinds of relationships and practices that will govern relations with the delegated organization. These are just as important as the “hard wiring”.
<p>3. Effective Performance and Functional Soundness – <i>The respectful, faithful, sound and reliable implementation of the government mandate set by political leaders to address public interests.</i></p>	<ul style="list-style-type: none"> a) Efficiency, cost-effectiveness and service quality are always considerations. In the case of operational or commercial functions, they are paramount. A clear, sound business case that stands the test of time, including assessment of systemic and stakeholder impacts and potential risks, should be developed for all delegations. Lowest bid or reliance on broad theoretical expectations, such as economies of scale or private sector efficiency, is not sufficient. b) The financial, institutional and long-term sustainability of delegations should be core considerations. Contingency plans should be in place, including mechanisms to sunset or dissolve the delegations where appropriate. c) The full range of governance models, including innovative hybrid models, should be systematically evaluated for all delegations. Post-delegation reviews should determine if the needs of the public, clients, and delegated organization are being met and issues are resolved in a timely manner. d) Wherever possible, expected outcomes, performance standards, measurement and public reporting of results should be set out as part of the delegation process. e) Organizational proliferation is not desirable in itself; use and expansion of existing organizations and potential partnerships should be considered wherever possible.

<p>4. <i>Accountability and Transparency – The effective and efficient planning and accountability for the spending of public money.</i></p>	<ul style="list-style-type: none"> a) All delegations entail the reduction of direct control by democratically elected governments. Accountability and transparency mechanisms are critical and any exemptions from centralized accountability regimes (e.g., audit by the Auditor General) should be demonstrably justifiable and offset by appropriate alternatives b) All accountability and transparency mechanisms should be clearly stated, legitimate, justifiable and regularly reviewed to protect public interests. c) Accountability and oversight entail direct and indirect compliance costs. There is a diminishing returns factor to continually increasing the stringency and complexity of oversight regimes.
<p>5. <i>Fairness and Ethical Behaviour – The framework and prevailing professional culture for guiding actions inside government affecting the government and quasi-government workforce and excellent service to Ontarians.</i></p>	<ul style="list-style-type: none"> a) However far removed a delegated function may be from direct government control, it still serves a public policy mandate and must answer for more than bottom-line performance. Mechanisms – both formal (such as codes of conduct) and informal (such as orientation) – should be in place to foster respect for public service values such as neutrality, frugality, transparency, speaking truth to power and commitment to the public interest. b) Professional public service ethics and values that guide behaviour and relationships respecting service to the public (trust, honesty, fairness, diversity, excellence, creativity, collaboration, efficiency, and responsiveness) need to be articulated and reinforced to guide legitimacy and support the good reputation of the whole system of government. c) Workplace ethics and values ensure that employees and workers are well treated and fully engaged in their tasks in supporting good government and the delivery of high calibre services to Ontarians.