



Staff Report

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Report To:	General Government Committee		
Date of Meeting:	March 21, 2022	Report Number:	CSD-006-22
Submitted By:	George Acorn, Director of Community Services		
Reviewed By:	Mary-Anne Dempster, CAO	Resolution#:	GG-161-22
File Number:		By-law Number:	
Report Subject:	Clarington's Inclusive Spaces Policy		

Recommendations:

1. That Report CSD-006-22 and any related communication items, be received;
2. That the Inclusive Spaces – Anti-Racism Policy Attachment 1 to Report CSD-006-22, be approved;
3. That staff be directed to develop a Standard Operating Procedure to support this new Policy, to be approved by the CAO;
4. That the Municipality of Clarington requests to join the Coalition of Inclusive Municipalities and endorses the Coalition of Inclusive Municipalities' 10 Common Commitments;
5. That the Mayor be authorized to sign the Declaration as Attachment 2 to Report CSD-006-22;
6. That staff be directed to take any additional measures necessary to join the Coalition of Inclusive Municipalities, including the development of a plan of action; and
7. That all interested parties listed in Report CSD-006-22 and any delegations be advised of Council's decision.

Report Overview

The Municipality of Clarington is committed to providing a safe and respectful environment that is welcoming and inclusive for all. Staff, in conjunction with the Diversity Advisory Committee (DAC) have been working over the past year to develop supports to achieve this ideal. One of these supports is an Inclusive Spaces Policy as presented through this report. Supports to achieve a welcoming and inclusive community extends to staff, people conducting business, spectators, those directly participating in programs, and those attending buildings for any other reason.

The need for a policy, like the one introduced in this report, came out of Council resolution #GGC-334-21, that directed staff to work with the Diversity Advisory Committee (DAC) to develop an Anti-Racism Policy. Staff worked with DAC to develop this Inclusive Spaces Policy that accomplishes the goals set out in that resolution. The introduction of this Inclusive Spaces Policy will set out clear expectations for those using and visiting our buildings that racism and discrimination will not be tolerated. This supports the work that continues to be done positioning the Municipality of Clarington as an inclusive community that is welcoming of all residents.

1. Background

- 1.1 On May 31, 2021, Council approved Resolution #GG-334-21: “That the Diversity Advisory Committee, in partnership with staff, be directed to prepare an anti-racism policy that would apply to all staff, Members of Council, and all visitors to municipal-owned buildings and spaces. The Anti-Racism Policy would make clear the Municipality’s expectation of tolerance for those working at and using Municipal-owned buildings and spaces. This Policy can be displayed at all buildings so that members of the public are aware of the expectations under the Policy and the consequences for not adhering to it.”
- 1.2 The Diversity Staff and Inclusion Team consulted with Clarington’s Diversity Advisory Committee (DAC) to identify existing and related resources to support and inform the development of a policy. It was identified that Policy E5 – Harassment is the existing policy for staff and addresses harassment in a few forms. These include workplace, sexual, and discriminatory harassment. This policy is approved by the Chief Administrative Officer. It is currently being reviewed to include language around racism. Further, the Council Code of Conduct is currently in place to address any incidents of alleged racism or discrimination by a Member of Council.
- 1.3 Through this review of existing resources, staff identified that completing updates to existing staff policies would be sufficient to meet internal requirements for an anti-racism policy. While this is true for staff and Members of Council, staff and DAC did identify the

need for a public-facing policy to guide the behaviour of people accessing or conducting business with the Municipality.

2. Proposal

Inclusive Spaces Policy

- 2.1 The recommendation is to for the Municipality to demonstrate zero tolerance for racism and discrimination within municipal buildings and spaces. To accomplish this, staff are recommending the Inclusive Spaces Policy (Attachment 1) be approved and adopted. This policy outlines expectations for members of the public, and outlines what actions should be taken should an incident of racism be witnessed or experienced. The policy prohibits any form of racism, discrimination, and/or harassment. Taking the zero-tolerance approach against any acts of racism and/or discrimination means any individual responsible for these acts will be asked to leave the building and/or property.
- 2.2 DAC reviewed and passed a motion at their January 27, 2022, meeting to endorse the Inclusive Spaces Policy.

Supports and Strategies

- 2.3 Staff and DAC want to ensure a successful launch of the Inclusive Spaces Policy. To support implementation and to clarify the role staff should play in the execution of the policy, staff will develop a Standard Operating Procedure. This procedure will provide clear steps for staff to follow, up to including asking a member of the public to leave one of our buildings. Once developed, the plan will be forwarded to the CAO for approval.
- 2.4 A fulsome Anti-Racism Strategy is required to fully assist in enacting meaningful change in the community. The Inclusive Spaces Policy is one of the first, in several steps to develop such a strategy. Staff, along with DAC have identified several supports and objectives that will aid in the development of an Anti-Racism Strategy. One important objective is to increase public consultation and engagement.
- 2.5 The objectives to support an Anti-Racism Strategy include increased public consultation and engagement, further developing our communications and social media strategy, increasing relevant training to support staff and Council, and reviewing, and implementing equitable recruitment practices.
- 2.6 In partnership with relevant community agencies and in collaboration with DAC, staff will develop toolkits and promote resources in the community to support residents in learning about, and counteracting racism and discrimination.
- 2.7 The policy clearly outlines the public's responsibilities in achieving inclusive spaces. If the policy is approved, staff will work to revise terms and conditions of permits,

programs, and memberships to highlight these responsibilities. Staff will highlight these expectations to customers during the permitting process to ensure there is a clear understanding of responsibility. Staff will work with major user groups to encourage them to incorporate similar strategies within their organizations to support the Inclusive Spaces Policy while using our buildings.

- 2.8 As staff work to implement these recommendations, DAC will continue to be consulted for their input and concurrence on various initiatives. This partnership continues to be important for staff as members of DAC bring a unique, and often lived experience which is invaluable to staff.

Coalition of Inclusive Municipalities

- 2.9 The Coalition of Inclusive Municipalities, coordinated by the Canadian Commission for UNESCO, is a network of more than 80 municipalities across Canada. The intent is to improve their policies against racism, discrimination, exclusion, and intolerance. Through collaboration and sharing of experiences by the members, the coalition undertakes initiatives to eliminate all forms of discrimination to build more inclusive and welcoming communities.
- 2.10 In October 2021, Council passed Resolution #C-342-21 “that staff, in consultation with the Diversity Advisory Committee, investigate and report back on the costs and benefits of membership in the Coalition of Inclusive Municipalities.”
- 2.11 Following the resolution, staff made a presentation to DAC at the October 28, 2021, meeting. DAC supported that staff investigate the costs and commitments associated with becoming a member with the Coalition of Inclusive Municipalities.
- 2.12 To join the coalition, a municipality must make an application that is supported by a formal resolution of Council which endorses the Coalition’s 10 Common Commitments:
1. Increasing vigilance against systemic and individual discrimination.
 2. Monitoring discrimination in the municipality and taking action to address it.
 3. Supporting individuals who experience discrimination.
 4. Providing police services that are exemplary institutions for fighting discrimination.
 5. Providing equal opportunities as a municipal employer, service provider, and contractor.
 6. Supporting measures that promote equity in the labour market.

7. Challenging discrimination and promoting diversity and equal opportunities in housing.
8. Involving citizens by giving them a voice in anti-racism initiatives and decision making.
9. Challenging discrimination and promoting diversity and equal opportunities in education and other forms of learning.
10. Promoting the respect, knowledge, and appreciation of cultural diversity and the inclusion of Indigenous and racialized communities in the cultural fabric of the municipality.

2.13 There is no membership cost to join the Coalition and the benefits of increasing our access to networks, resources, and collaboration are significant. Joining the Coalition will support the formalization of a plan of action and will coordinate our existing work in the areas of racism and discrimination to support our vision, strategies, and policies through partnerships and collaboration. Any additional initiatives that require funding would come forward as part of the normal budgeting process.

2.14 To confirm our commitment, a signing will be arranged for the Mayor to request our membership through the Declaration to Join the Coalition of Inclusive Municipalities (Attachment 2).

3. Concurrence

3.1 Not Applicable.

4. Conclusion

4.1 Over the past year, staff have worked closely with DAC to develop a path forward and to position Clarington as a truly welcoming and inclusive Municipality. To provide a safe and respectful environment that is equitable and inclusive, free of racism, and discrimination, staff have developed the Inclusive Spaces Policy presented through this report.

4.2 By adopting this recommended policy, Council will lay the foundation for an Anti-Racism Strategy for the Municipality. If approved, staff will work on the implementation of this policy and on the next steps for an overall strategy. Part of these next steps, if approved, will be to endorse the ten Common Commitments of the Coalition for Inclusive Municipalities and become a member of that Coalition. By initiating that membership, staff will have access to a well-established network that will provide resources and a shared vision for establishing an inclusive community for all residents.

- 4.3 Staff look forward to continuing work on this important initiative, including continuing their work with DAC, the staff Diversity, and Inclusion Team, and on the Leading Equitable Accessible Delivery (LEAD) initiative.
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Staff Contact: Lee-Ann Reck, Manager, Client Services, 905-623-3379 ext. 2508 or lreck@clarington.net .

Attachments:

Attachment 1 – Inclusive Spaces – Anti-Racism Policy

Attachment 2 – Declaration to Join the Coalition of Inclusive Municipalities

Interested Parties:

Clarington's Diversity Advisory Committee

Council-Approved Policy

Policy Title: Inclusive Spaces – Anti-Racism Policy
Policy #:
Report #:
Resolution:
Effective Date:
Revised Date: (yearly review by Department Heads)
Legislative History:
Notes:

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POLICY STATEMENT:

The Municipality, alongside the Diversity Advisory Committee, issued a [statement](#) on June 9, 2020, speaking against racism and discrimination. In concert with existing policies on harassment and workplace violence that address specifically employer and staff interactions, an Inclusive Spaces Policy will strengthen the focus and message that racism, discrimination and/or harassment in any form will not be tolerated.

The Municipality of Clarington is committed to providing a safe and respectful environment that facilitates interactions and experiences that are welcoming and inclusive for all of those involved. This includes individuals conducting business and/or directly participating in programs and activities, as well as those attending in any other capacity.

This Inclusive Spaces Policy prohibits any forms of racism, discrimination, and/or harassment. There is to be zero tolerance for any acts of racism and/or discrimination; any individual(s) responsible for these acts will be asked to leave the building and/or property.

It is the responsibility of everyone in our community, regardless of their capacity, to help stop racism and/or discrimination and to report any incidents to municipal staff, or those responsible for the services and/or organization.

Those responsible for receiving a report of an incident are to act immediately, by following the standard operating procedure. Signage is to be posted informing individuals of this policy, and how to report an incident.

1. PURPOSE:

This policy intends to facilitate a safe and inclusive environment for all those in attendance, free of any acts of racism and/or discrimination.

To designate responsibility in putting a stop to racism and discrimination within municipal facilities and providing a procedure to address it properly.

To support fair play and the right for individuals to participate in municipal business, programs, and services with equal opportunities.

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To convey the Municipality's commitment to maintaining public spaces that are free of racism and discrimination.

2. APPLICABLE TO:

In addition to all members of the public who visit our municipal buildings and enjoy the varied services we provide, this Policy also applies to all, Volunteers, members of Boards and Committees of Council.

We also strongly encourage all community and sport organizations that use municipal buildings to show their support by endorsing our Policy with their members.

3. RIGHTS AND RESPONSIBILITIES:

Rights

All individuals have the right to treatment with respect, regardless of their role while present in a municipal building. Recognizing the equality of rights and privileges of residents from all its diverse communities.

All individuals have the right to non-judgment, should they feel they have experienced racism and/or discrimination.

Any person committing the act of racism and/or discrimination has the right to an explanation as to the issue within their actions.

Responsibilities

Should an incident of racism and/or discrimination be witnessed or reported, the facility staff, security and/or the facility renter will ensure that the standard operating procedure is put into effect immediately.

All individuals that enter the facility property undertake the responsibility of reporting any incidents of racism and/or discrimination.

4. DEFINITIONS

Discrimination: Treating someone unfairly by either imposing a burden on them, or denying them a privilege, benefit or opportunity enjoyed by others, because of their race, citizenship, family status, disability, sex, age, or other personal characteristics (note: this is not a legal definition) (as defined by Ontario Human Rights Commission (OHRC)).

Diversity: The presence of a wide range of human qualities and attributes within a group. Recognizes that each person has unique characteristics.

Harassment: Engaging in a course of vexatious comments including electronic means of communication or conduct by co-worker, employee, visitor, member of the public or another person towards any other employee or visitor which is

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intimidating, annoying or malicious and may relate to race, ancestry, place of origin, colour (also defined in Policy [E5 – Harassment Policy](#)).

Inclusion: All individuals feel respected, accepted, and valued. Creating a culture that strives for equity and embraces, respects, accepts, and values differences.

Perceived incident: How an individual experiences an incident, regardless of the respondents' intent.

Racism: A belief that one group is superior or inferior to others. Racism can be openly displayed in racial jokes, slurs or hate crimes. It can also be more deeply rooted in attitudes, values, and stereotypical beliefs. In some cases, people don't even realize they have these beliefs. Instead, they are assumptions that have evolved over time and have become part of systems and institutions (as defined by Ontario Human Rights Commission (OHRC)).

Zero tolerance: The practice of establishing a specific consequence or range of consequences for a specific infraction (in the case of this policy – racism and/or discrimination), and the consistent application of that consequence.

Examples of Racism and Discrimination:

- Unwelcome remarks, jokes, or insults about a person's racial background, colour, place of birth, ancestry, citizenship, gender identity, gender expression, or ability by co-workers or customers
- Display of racist, derogatory, or otherwise offensive material
- Insulting gestures or practical jokes based on racial or ethnic grounds or based on one's gender identity, gender expression, or ability
- A refusal to converse or work with an individual because of their racial or ethnic background, gender identity or expression or their ability
- Stereotyping of individuals because they belong to a certain race or their gender identity / expression or their ability
- Policies or practices that may seem or are intended to be neutral result in disadvantages for people of a certain gender, ability, race, ethnic, national, or religious group

REPORTING AND RECORD KEEPING

Reporting

Incidents should be reported to a municipal or facility staff person present, building operator, security, or organization representative, depending on the origin of the concern.

Incidents can be reported by any individual witness to the incident, or on behalf of the person experiencing the racist and/or discriminatory act.

Follow-up action and reporting is done in consultation with and at the discretion of the

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individual who was the subject of the racism or discrimination (if applicable to a specific individual).

Record Keeping

A written report of the incident including names of those involved, a summary of the incident, including the action taken, is to be completed by the staff person dealing with the incident.

A record of reports should be kept by the facility supervisor/manager.

DISCIPLINE

Racism and discrimination against any member of our staff, Council, resident or visitor to our facilities and spaces will not be tolerated. The Municipality of Clarington has a zero-tolerance policy.

The Municipality will:

- Not tolerate racism
- Prohibit the use of all municipal facilities from individuals and groups that may violate or promote the violations of the rights that are guaranteed to other individuals and groups under the Ontario Human Rights Code and the Canadian Charter of Rights and Freedom.

There is zero tolerance for acts of racism and/or discrimination.

Any individual(s) responsible for acts of racism and/or discrimination are required to cooperate with the decided discipline, which may include vacating the facility property.

Note: Any incidents of alleged racism or discrimination by a member of staff towards another individual will be addressed under policy E5 – Harassment Policy. Any incidents of alleged racism or discrimination by a Member of Council will be addressed through the Council Code of Conduct.



Canadian Association of
Statutory Human Rights Agencies
Association canadienne des
commissions et conseil des droits de la personne



Canadian Race
Relations
Foundation

Fondation
canadienne des
relations raciales

Declaration to Join the Coalition of Inclusive Municipalities

Given that:

- 1 The Canadian Commission for UNESCO (United Nations Educational, Scientific and Cultural Organization) is calling on municipalities to join a Coalition of Inclusive Municipalities and to be part of UNESCO's international Coalition launched in 2004; and
2. The Federation of Canadian Municipalities (FCM) endorses the Call for a Coalition of Inclusive Municipalities and encourages its members to join; and

Whereas:

3. Municipal governments in Canada, along with other levels of government, have responsibilities under Canada's *Charter of Rights and Freedoms* as well as federal, provincial and territorial human rights codes, and therefore have an important role to play in combating racism and discrimination and fostering equality and respect for all citizens;

Be it resolved that:

4. The **insert the name of the municipality** agrees to join the Coalition of Inclusive Municipalities and, in joining the Coalition, endorses the Common Commitments and agrees to develop or adapt its own unique Plan of Action accordingly.
5. These Common Commitments and the Municipality's unique Plan of Action will be an integral part of the Municipality's vision, strategies and policies.
6. In developing or adapting and implementing its own unique Plan of Action toward progressive realization of the Common Commitments, the Municipality will cooperate with other organizations and jurisdictions, including other levels of government, Indigenous peoples, public and private sector institutions, and civil society organizations, all of whom have responsibilities in the area of human rights.
7. The Municipality will set its priorities, actions and timelines and allocate resources according to its unique circumstances, and within its means and jurisdiction. The Municipality will exchange its expertise and share best practices with other municipalities involved in the Coalition and will report publicly on an annual basis on actions undertaken toward the realization of these Common Commitments.

Insert name of the Municipality, insert date (month day, year)

His/Her Worship **insert name of the mayor**

SIGNATURE OF THE MAYOR

