

Alberta Advisory Council on the Francophonie

Mandate and Roles Document

August 28, 2019

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Agency Mandate

The Alberta Advisory Council on the Francophonie (Council) is an advisory public agency that was established in 2018. The purposes of the Council are stipulated in the Ministerial Order and accompanying Terms of Reference. The Council is to ensure, on an ongoing basis, that French-speaking Albertans have a voice in the implementation of the French Policy. To achieve that, the agency will advise the Minister responsible for the Francophone Secretariat on the implementation and evaluation of the French Policy, including:

- Identifying priorities for strengthening the community's vitality through the development and enhancement of services in French within available resources;
- Improving the development and delivery of government services in French within available resources;
- Optimizing the use of existing provincial funding for services in French and federal funding administered by the Ministry; and
- Evaluating the effectiveness of the policy in achieving its intended outcomes.

Accountability Statement and Applicable Legislation

The Minister is accountable to the Legislature for the Council. The key legislative instruments, bylaws and policies which define the role, responsibilities and accountabilities of the Council and the Minister are as follows:

- *Alberta Public Agencies Governance Act* (APAGA); Ch. A-31.5 SA 2009
- *Auditor General Act*; Ch. A-46 RSA 2000
- Committee Remuneration Order O.C. 466/2007 (or any other remuneration mechanism approved by Cabinet)
- Code of Conduct for the Council
- *Financial Administration Act*; Ch. F-12 RSA 2000
- *Fiscal Planning and Transparency Act*; Ch. F-14.7 2015 SA 2015
- *Freedom of Information and Protection of Privacy Act*; Ch. F-25 RSA 2000
- *Government Organization Act*
- *Public Sector Compensation Transparency Act*; Ch. P-40.5 SA 2015
- *Results-Based Budgeting Act*; Ch. R-17.5 2012 RSA 2012
- Treasury Board Directives and ministerial policies and procedures

Directors are required to fulfill two principal duties – a fiduciary duty and a duty of care. Directors have a fiduciary duty to act honestly and in good faith, with a view to the best interests of the Council. This fiduciary duty obliges the Directors to act in the best interests of the Council, as opposed to his or her own interests. When carrying out their duties, Directors must exercise the care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances. The Council is accountable to the Minister.

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Duties and Responsibilities

Council

The relationships among the Minister, the AACF Board of Directors, its Board Co-Chairs, the Deputy Minister and staff of Alberta 's Ministry shall be relationships fostering collaboration, coordination and cooperation. The Council will follow established internal controls and the government's financial and administrative policies and comply with management information systems requirements to ensure integrity and accountability of financial information.

The Council will comply with the government's financial, human resource, administrative and internal control policies. The Council will manage all risks and potential liabilities in accordance with GoA directives, policies, programs and risk management requirements.

The Council will collaborate with the department on a review of its mandate and activities at least once every seven years.

Minister

The Minister is responsible for:

- Providing strategic direction, on an annual basis, for the development of the Council's strategic/business plan, to guide its ongoing priority setting;
- Approving the Council's annual strategic/business plan and significant variations from the plan;
- Acting as the spokesperson for the Board and/or delegating this role as necessary;
- Working with other ministers and levels of government to improve government services in French in order to support the vitality of the Francophonie in Alberta, in a targeted and sustainable manner, and according to available resources.
- Ensuring that the Council's priorities and results are accurately reflected in the ministry's business plan and annual report;
- Evaluation of the Co-Chairs;
- Assigning staff resources as needed to support the work of the Council;
- Approving bylaws of the Council;
- Meeting with the Co-Chairs on a quarterly basis or as required to address emerging issues and priorities;
- Approving Director appointments; and
- Leading a review of the Council at least once every 7 years to determine if the Council is still relevant to the needs of the province and aligned with government direction.

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Council Co-Chairs

The Council Co-Chairs will be the main contact between the Council and the Minister.

The Co-Chairs represent the Board and its interests in dealing with the Minister, the department, stakeholders and the community. The Co-Chairs are responsible for:

- Providing leadership to the Board;
- Facilitating the work of the Board to achieve its mandate;
- Participating in Board recruitment requirements;
- Acting as the spokespersons for the Board as deemed necessary by the Minister;
- Planning and managing Council meetings and ensuring that the Council and its committees have opportunities to meet independent of management;
- Providing the Minister with regular updates on the Council's operations and informing the Minister regarding emerging issues and priorities;
- Meeting with the Minister on a quarterly basis or as required to address emerging issues and priorities;
- Ensuring that the Council conducts an annual evaluation of its performance and the work of individual Council Directors;
- Ensuring that all Directors have completed appropriate governance training;
- Administering and ensuring that the Council activities align with its mandate and bylaws;
- Ensuring the Council complies with government financial, human resource, administrative and internal control policies;
- Providing the Minister with copies of the Council's authority/decision matrix;
- Providing the Minister with copies of all internal policies developed by the Council; and
- Ensuring that:
 - A Code of Conduct is in place that conforms with the requirements of the *Conflicts of Interest Act* and has been reviewed for compliance by the Ethics Commissioner;
 - Board members are aware of their obligations in the Code of Conduct;
 - Appropriate procedures are implemented to foster compliance with the Code of Conduct; and
 - Procedures are in place for the Board to address conflict of interest matters.

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Directors (Board Members) of the Council

Every Director of the Council will be responsible for:

- Attending Board meetings and service on committees;
- Reviewing and voting on policy and other matters;
- Reviewing and recommending changes to the Minister as necessary relating to the bylaws and policies of the Council;
- Developing the Council's strategic/business plan;
- Ensuring the Council carries out its activities in accordance with its Terms of Reference.

Department

The department of the ministry responsible for the Council under section 16 of the *Government Organization Act* will support the Council in the following areas:

Deputy Minister

The Deputy Minister is responsible for:

- Assisting the Minister with carrying out accountabilities under APAGA including communication and oversight;
- Helping to ensure clear roles and responsibilities that align with the Minister's expectations, to avoid potential or perceived conflicts;
- Overseeing the joint development of accountability and governance documents;
- Working with the Council to ensure the Minister's directions are carried out and implemented; and
- Carrying out any additional duties delegated by the Minister.

Executive Director of the Francophone Secretariat

The Executive Director of the Francophone Secretariat is responsible for managing the general administration of the business of the Council including:

- Supporting the effective and efficient operation of the Council;
- Ensuring that Council's priorities and results are accurately represented in the Ministry's Business Plan and Annual Report;
- Ensuring that staff carry out the direction provided by the Council;
- Assigning a staff member to attend Council and committee meetings to provide board secretarial functions including being the custodian of all minutes, records and other documents of the Council;
- Assigning a staff member to support Board recruitment procedures in accordance with Ministry policies including working with the Council Co-Chairs to orientate and evaluate Council Directors;
- Facilitating accurate and timely board remuneration and reimbursement of expenses;

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- Forecasting and managing expenditures and ensuring that the annual budget is not exceeded; and
- Authorizing and expediting the payment of contracts.

Staff

Department staff will carry out the work of the Council as assigned by and under the supervision of the Executive Director of the Francophone Secretariat.

Interaction between the Council and the Department

The Executive Director of the Francophone Secretariat will serve as the main contact between the department and the Council and will draw on resources from the department as needed to support the work of the Council.

Recruitment and Appointment of Directors

Board Directors are recruited and appointed by Ministerial Order and collectively constitute the Council. The Board of Directors consists of a maximum of ten (10) people, reflecting the distribution of the French-speaking population and the diversity of the Francophonie in Alberta. It will include the following members:

- seven (7) members appointed following a public recruitment process, of which one (1) will act as co-Co-Chair;
- one (1) representative of the Association canadienne-française de l'Alberta (ACFA) appointed by the Minister from a list of a minimum of three (3) persons, including at least one (1) woman, submitted by the ACFA;
- one (1) representative of the Federation des conseils scolaires francophones de l'Alberta (FCSFA) appointed by the Minister from a list of a minimum of three (3) persons, including at least one (1) woman, submitted by FCSFA;
- the Executive Director of the Francophone Secretariat, from the Alberta Ministry, who will be the second Co-Chair.

An individual's appointment is limited to a maximum of ten years of continuous service.

The Council, in consultation with the Minister's designate, will use a competency matrix that outlines the skills, experience, diversity and knowledge the Council requires for each position. The bilingual recruitment and selection process will be managed by the ministry's Human Resources Branch and the Executive Director of the Francophone Secretariat or designate. Positions will be publicly advertised (except the representatives appointed by the ACFA and the FCSFA and the government Co-Chair) and all candidates will be screened against the

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competency matrix, including the identification of potential conflict of interest issues. A French-speaking Interview Panel including the Council Co-Chairs or another Board member, the Minister or designate and the Deputy Minister or designate, will recommend candidates to the Minister for his/her consideration and appointment. New Directors will be provided orientation and training to their role on the Council board by the Executive Director, Francophone Secretariat, the Council team members and the department.

Director expenses and honoraria will be publicly posted on the Government of Alberta Travel and Expense Disclosure website.

Meetings

Meetings of the Council will be held as required, but at least three times a year.

Language of Work

The Council's main working language is French, but all members must be bilingual. Council meetings will be held mainly in French, but internal and external communications, operations and reports will be available in both English and French.

Council Evaluation

The Council, through a process led by the Co-Chairs, conducts an annual evaluation and review of the performance of the Council, committees, the Co-Chairs and individual Directors of the Council. The Co-Chairs review the results of such evaluations and leads discussion on potential ways to improve Council effectiveness with Council Directors. Council Directors discuss the results of the evaluation of the Council, its committees and the Co-Chairs and adopt agreed upon improvements. The Co-Chairs and each individual Director discuss the results of the Director's annual evaluation.

Council Structure and Committees

The Council may establish Standing Committees that support the mandate of the Council and are accountable to the Council.

Terms of Reference shall be developed for each Standing Committee and approved by the Council Board. The Terms of Reference shall be reviewed periodically.

Planning and Reporting Requirements

The Council shall develop a three-year strategic/business plan reflecting its opportunities, challenges and priorities, which will be reviewed and updated on an annual basis. The Minister and the Co-Chairs will consult to ensure alignment of the strategic/business plan with government priorities and the Ministry Business Plan.

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Mandate Document Affirmation and Review

This document is in effect for not more than three years from the date it is signed. Any change in the core operations of the Council must be documented in a written agreement signed by both parties.

This Mandate and Roles document will be affirmed annually, and upon a change in the Board Co-Chairs or Minister.

Transparency

The original of this signed document will be kept with the department's Legal and Legislative Services Unit with copies provided to the Minister, the Council and the Agency Governance Secretariat. In support of the principle of transparency, this document will also be available to the public on the Public Agency Secretariat webpage.

Mandate and Roles Version

This Mandate and Roles document replaces all previous versions.

Communication Protocol

The Council will be a predominantly internal-facing entity and will undertake any and all communications through the department. The Council agrees to the Communication Protocol as set out in the attached Appendix.

Original signed

Board Co-Chair
Alberta Advisory Council on the Francophonie

Original signed

Minister
Ministry Culture, Multiculturalism
and Status of Women

Original signed

Board Co-Chair
Alberta Advisory Council on the Francophonie

23 septembre 2019
Date

Sept 23, 2019
Date

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Appendix

COMMUNICATIONS PROTOCOL BETWEEN THE GOVERNMENT OF ALBERTA AND THE ALBERTA ADVISORY COUNCIL ON THE FRANCOPHONIE

Guiding Principles:

- The Council will communicate with Albertans in both French and English in a manner that is consistent with its terms of reference. To achieve this, the Council and the department responsible for it will work together to align communications activities.
- The Council will acknowledge that the Government of Alberta provides funding and support to the Council through its administration, business plan, annual report and other materials as appropriate.
- The Minister will be informed of emerging issues as soon as possible. The Co-Chairs of the Council will use reasonable judgment in making this determination and will consult with the Deputy Minister as required.
- The Minister will take the lead on any significant or material public announcements and stakeholder events, and may invite the Co-Chairs and Board members to participate as deemed necessary. The Minister will use reasonable judgment in making this determination and will consult with the Co-Chairs of the Council as required.
- The Minister will be informed of any proposed changes to the Council's identity, mandate or strategic/business plan in a timely manner.
- This protocol will be reviewed at least once annually, and may be amended from time to time.

Public Announcements and Materials:

- When delegated to the Council, the Co-Chairs of the Council will consult in a timely manner with the Minister and department Communications Director, or designates, regarding the timing and content of media events and news releases. The Minister will be given the opportunity to be quoted in the Council's news releases, participate in media events and share information with MLAs as appropriate.
- When possible, the Minister, or designate, will advise the Council in advance regarding Government of Alberta announcements that may be of interest to, or have an impact on the Council.

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- The Co-Chairs of the Council will be given the opportunity to be quoted in Government of Alberta news releases that specifically refer to the Council.
- The Council will inform in a timely manner the Minister, or designate, and the department's Communications Director of media interview requests.
- The Minister, or designate, and/or the department's Communications Director will inform the Council of media interview requests related to the Francophonie or francophone community and/or the Council in a timely manner.
- The Minister, or designate, and the department's Communications Director will be informed as soon as possible regarding issues arising with stakeholders, the media and the public. The Executive Director and Co-Chairs of the Council will use reasonable judgment in making this determination and will consult with the Deputy Minister as required.
- Briefing notes and messages will be provided to the Minister, or designate, by requested timelines and the Minister, or designate, will be consulted regarding the response to an issue.
- The Co-Chairs and Board of the Council will be informed in a timely manner of any significant or material issues related to the Council arising with the media and the public by the department.
- Materials to be distributed to the public or stakeholders will be provided to the Minister in advance, for information, and distribution to MLAs.
- Other materials requiring the Minister's approval will be provided within the timelines specified by the Minister and be accompanied by a briefing note, memorandum and, where appropriate, a distribution list.
- At the end of all Council meetings, the Co-Chairs, in consultation with Council members, will prepare key messages for the use of the Council members in their communication with the public. These messages will be reviewed by the department's Communications Director and approved by the Minister or his/her representative.
- The Council may use the Government of Alberta media monitoring service coordinated through the department's Communications Branch.
- The Council will comply with the Government of Alberta Social Media Policy when using social media.

Spokespersons:

- The Minister is the official spokesperson for the Council.
- The Minister may designate the Co-Chairs or designate to be spokespersons for matters specific to the Council, including, but not limited to, internal business decisions and operational matters.

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- The Minister or designate will be a spokesperson on government policy and commitment to Alberta's Francophonie.

Visual Identity and Signage:

- The Council logo and visual identity is a mark of the Government of Alberta, and the Council will seek the government's consent for any proposed change to this mark.
- The Council, through the Deputy Minister, will seek the Minister's approval before pursuing any change to this identity, and will seek the Minister's approval for any proposed changes.
- The Council, through the Deputy Minister, will advise the department of any infringement of the "Alberta Advisory Council on the Francophonie" identity, and will cooperate with the department in any prosecution resulting from this infringement.
- Through discussion, and as determined by the Council and the Government of Alberta, communications materials and signage will acknowledge government funding and support in a variety of ways, including a standard statement on the Council's communication materials: "The Alberta Advisory Council on the Francophonie is the principal Francophonie support agency of the Government of Alberta" and through inclusion of the Government of Alberta logo.

Internet:

- The Council's online presence will be limited to posting relevant materials in both French and English on the Public Agency Secretariat web portal.

Social Media:

- In general, the information shared and the content of discussions within the Council are confidential and must not be published, posted or broadcast without the express authorization of the Minister or his representatives.
- The Council shall not have a separate social media presence. The Council shall consult with the department's Communications Branch to optimize the use of existing government social media presence.
- The Council will alert the department's Director of Communications or designate to any emerging issues it becomes aware of through social media.

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Corporate Products:

- In accordance with the Alberta-British Columbia Trade Investment and Labour Mobility Act (TILMA) and the Agreement on Internal Trade (AIT), marketing, creative services, advertising and media buying contracts will be awarded through a competitive process. When required by legislation, contracts will be tendered through the Alberta Government Purchasing Connection website.

Communications Roles and Responsibilities:

- Requests for information from the Minister and Deputy Minister to the Council will be responded to within the timelines requested.
- The Deputy Minister will be responsible for ensuring that the Council follows the communication protocol as outlined above.
- For urgent matters and emerging public issues:
 - Staff will alert the Executive Director. The Executive Director will alert in a timely manner the Deputy Minister and the Director of Communications for the department.
- For daily operations:
 - The Executive Director will provide the Deputy Minister and Director of Communications with regular updates on all Council operations through Executive Team meetings. The Deputy Minister will provide updates on Council operations to the Minister.
- For public communications planning:
 - The Council will work directly with the department's Communications Branch representative on projects as required.
 - The department's Communications Branch and the Francophone Secretariat will be responsible for ensuring the Council is informed in a timely manner regarding the scheduling of news releases, proposed marketing and advertising activity, changes to the Council's identity, social media campaigns, annual reports and any other public communications activities related to the Council.
 - The Executive Director, through the Deputy Minister, is responsible for ensuring the Minister is informed of these activities.

Ongoing Collaboration:

- Through mutual agreement, the Council and the department will determine the approach and the process for sharing information on a regular basis, and effectively addressing urgent matters and emerging public and stakeholder issues.

