

**Non-Adjudicative Agencies, Boards and Commissions
Appointments Procedure Manual**

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Section 1 Purpose and Application

The government of Nova Scotia supports an open, transparent and accessible process for appointments to its agencies, boards and commissions (ABCs).

All appointments made to ABCs are the prerogative of government and subject to specific exceptions¹, are made in one of two ways:

Order in Council These appointments require the approval of both the Executive Council and the Lieutenant Governor.

Ministerial These appointments require the approval of the Minister assigned responsibility for an ABC. These appointments are forwarded to the Executive Council for information purposes.

The procedures established in this manual are to be followed when making Order in Council or Ministerial appointments of board members to Nova Scotia's non-adjudicative ABCs that require the approval of the Standing Committee of the House of Assembly on Human Resources. The following appointments require the approval of this Committee:

- where the Governor in Council has, pursuant to an enactment, the sole discretion to make the appointment, or where the Governor in Council makes the appointment by choosing from a list of nominees provided to the Governor in Council pursuant to an enactment;
- Ministerial appointments, where, pursuant to an enactment, Governor in Council approval is not required².

If there is a conflict between enabling legislation and this manual, the enabling legislation prevails.

Any modification or omission of steps contained in this manual must have the approval of the Clerk of the Executive Council (or his/her designate), prior to commencement of the appointment process.

¹ For example, shareholder election or other specific process established by enabling legislation.

² For the complete text of Rule 60 of the Rules and Forms of Procedure of the House of Assembly see Appendix A .

Section 2 Definitions

ABC Database - means the database accessible by the ECO Appointments Administrator and Departmental ABC Administrators that is used to maintain a record of information pertaining to applications received and appointments made to ABCs.

Agency, Board, Commission (ABC)- is a non-departmental entity, specially constituted body or organization, established pursuant to an enactment or other enabling legislation, to which at least one board member appointment is made by either Order in Council, Ministerial appointment or by shareholder election where the Crown is the majority shareholder of the entity.

Appointing authority - means the Governor in Council, responsible Minister, or another person who is authorized under enabling legislation to make appointments to an ABC.

Board Member Profile - means a document completed in Form 1 that provides an overview of the ABC, the business it conducts, any legislated requirements for board membership as well as the desired knowledge, skills, qualifications and personal attributes sought of potential applicants.

Departmental ABC Administrator - means the person in each department who is designated the responsibility for processing appointments to ABCs associated with that department/responsible Minister.

Departmental Screening Panel - means the panel established in each department to screen applications in accordance with Section 7.

Enabling legislation - means the enactment or other legal instrument creating an ABC.

Enactment - means an Act or regulation or any portion of an Act or regulation.

Executive Council Operations (ECO) - means the branch of the Treasury and Policy Board Office assigned responsibility for corporate administration of the non-adjudicative ABC appointment process on behalf of Executive Council.

ECO Appointments Administrator - means the staff person at ECO who is the main point of contact for the general administration of the non-adjudicative ABC appointment process on behalf of Executive Council.

House Rule 60 - means Rule 60 of the “Rules and Forms of Procedure of the House of Assembly” in Nova Scotia (See Appendix A).

Human Resources Committee (HR Committee) - means the Standing Committee of the House of Assembly on Human Resources established by House Rule 60.

Ministerial Appointment - means appointments made by a minister pursuant to an enactment.

Non-adjudicative ABC - is an ABC that does not perform quasi-judicial functions. A list of Nova Scotia's non-adjudicative ABCs is attached as Appendix B.

Order in Council (OIC) - means an Order of the Lieutenant Governor acting by and with the advice of the Executive Council.

PSC Executive Recruiter - means the Executive Recruiter in the HR Support Services Division of the Public Service Commission.

Responsible Minister - means the member of Executive Council assigned responsibility for an ABC.

Section 3 Roles and Responsibilities

The following organizations and individuals have a role to play in the appointments process:

Agency, Board or Commission

- in consultation with the Departmental ABC Administrator, and when necessary, a representative of ECO and the PSC Executive Recruiter, assists in the preparation of a board member profile setting out the skills and qualifications required of board members of the ABC ;
- as requested, provides information or advice to the Departmental ABC Administrator or the responsible Minister during the appointments process;
- notifies the Departmental ABC Administrator / ECO Appointments Administrator of any changes in board composition (e.g. resignation, death) to ensure up to date record keeping and timely recruitment to fill vacant positions.

ECO Appointments Administrator and other ECO Staff

- corporately administer the non-adjudicative ABC appointment process on behalf of Executive Council;
- make recommendations to Executive Council on amendments and updates to the Non-adjudicative ABC Appointment Process Policy and Procedures Manual;
- maintain the ABC Database of all applications received and appointments made to all non-adjudicative ABCs;
- work with ABCs and Departmental ABC Administrators to develop board member profiles;
- liaise with the Human Resources Committee relating to appointments that require that Committee's approval;
- as requested, consult on issues arising in the application of this manual and facilitate rulings by the Clerk of the Executive Council.

Responsible Minister

- approves board member profiles for the ABCs he/she is responsible for;
- makes recommendations to Executive Council or appoints candidates to board positions with ABCs.

Departmental ABC Administrator

- provides administrative support to the Minister of his/her department including:
 - receiving and processing of applications to non-adjudicative ABCs for which his/her Minister is responsible;
 - inputting information/updating the ABC Database in accordance with procedures established by the Clerk of the Executive Council;
 - working with ABCs, ECO and the PSC Executive Recruiter to develop board member profiles;
 - providing administrative advice and assistance to the Departmental Screening Panel;
 - consulting with ECO staff on issues arising in the application of this manual.

Departmental Screening Panel

- screens applications for qualifications established by the board member profile to provide the responsible Minister with a list of qualified candidates eligible for appointment to an ABC.

Applicants/Appointees

- make applications in accordance with the procedure established in this manual and provide all information necessary to process their application
- responsible to ensure that their active applications contain up to date information and notify the ECO Appointments Administrator and the Departmental ABC Administrator of any changes.

Section 4 Planning

Initial planning to fill a board vacancy with an ABC should commence at least six months in advance of the target date for the appointment. All individuals and organizations involved in the process must ensure all process requirements are completed in a timely manner to prevent unfilled vacancies.

Notification of vacancy

In fall and spring of each year, the ECO ABC Administrator sends each Departmental ABC Administrator an expiry report containing a list of all vacancies that will occur within the next year on the ABCs affiliated with his/her department. The expiry report includes the following information:

- the name of the board
- the date of expiry of a term
- the name and position (e.g. Chair) of the member whose term is expiring
- the length of time (number of terms and total years) the member has served.

Upon receipt of the expiry report, Departmental ABC Administrators must;

- determine when positions should be advertised (See Section 5 -Recruitment) to ensure that there is sufficient time to complete all steps of the process and have appointments finalized to fill the vacancy;
- ensure there is a completed board member profile for each board that has a vacancy to be advertised;
- liaise with the ABC to determine whether:
 - the incumbent member is eligible for reappointment [See Reappointments Section 11].
 - based on the board member profile, an individual with particular skills or qualifications is requested to fill the vacancy.
- if there has been difficulty recruiting for a particular ABC/vacancy in the past, consult with ECO and the PSC Executive Recruiter to determine if specialized recruitment measures may be required.

Preparation of Board Member Profile

Prior to commencing recruitment, a board member profile in Form 1 must be prepared for the vacancy to be filled. A board member profile provides an overview of the ABC and the business it conducts, any legislated requirements for board membership, as well as the desired knowledge, skills, qualifications and personal attributes sought of potential candidates.

Preparation of board member profiles should be a collaborative effort between the ABC, the Departmental ABC Administrator and if necessary, a representative of ECO and the PSC Executive Recruiter. The responsible Minister will approve the final board member profile.

Section 5 Recruitment

Identifying potential candidates

In order to obtain enough qualified candidates to fill all board vacancies, the process to encourage applications must be proactive and proportionate to the position being filled.

No matter how a potential candidate is identified, all individuals interested in being appointed to an ABC must submit their application to ECO and all applications will be screened by the Departmental Screening Panel as detailed in Section 8.

Ensuring adequate numbers of applications are received will be encouraged through the following means:

Advertising

The Human Resources Committee requires that non-adjudicative ABC vacancies be advertised in the 12 month period prior to an appointment being made.

General advertising will be conducted in print newspapers on a bi-annual basis. ECO staff will liaise with Departmental ABC Administrators, staff for the Human Resources Committee and Communications Nova Scotia on which vacancies are to be advertised and the form of advertisement.

Individual print advertisements for a particular ABC/vacancy may be done after consultation with ECO.

Print advertising will direct individuals to visit the ECO Appointments website www.gov.ns.ca/exec_council where they will find the most recent advertisement, board member profiles for specific ABCs and how to make an application.

ABC

Each ABC should try to identify individuals who have the necessary background and experience to serve on their ABC and have a procedure for contacting them to notify of opportunities to serve and how to submit an application to ECO.

Stakeholder Groups

When a board member profile identifies a particular qualification required for a position (e.g. accounting designation, law society membership) Departmental ABC Administrators should consult with the ECO Appointments Administrator in regard to forwarding a notification of the upcoming vacancy to professional associations and stakeholder groups to identify potential candidates.

Members of the Legislative Assembly (MLAs)

MLAs should have materials in their constituency offices on opportunities available to serve on ABCs and should encourage individuals to apply for vacant positions.

Executive Recruitment

In certain circumstances, it may be difficult to identify qualified candidates for a particular vacancy. Depending on the position under recruitment and the skills and qualifications deemed necessary to fulfill its duties, Departmental ABC Administrators may request assistance from ECO and the PSC Executive Recruiter to identify a recruitment strategy and potential candidates.

Section 6 Applications

There is no limit on the number of ABCs an individual may apply to. However, applicants are strongly encouraged to review the board member profile available online for each ABC and apply to those that most directly match their skills and experience.

The ECO website sets out the information required to be submitted with an application. The ECO Appointments Administrator will forward hard copy information to individuals who do not have access to a computer. It is an applicant's responsibility to ensure that all required information is provided with an application.

Applications must be delivered/mailed to ECO. All applications received are entered into the ABC database and a letter of acknowledgment is sent either by hard copy or email from the ECO Appointments Administrator to each applicant.

Applications are then distributed to the appropriate Departmental ABC Administrator.

When sufficient applications have been received, Departmental ABC Administrators will convene the Departmental Screening Panel to review the applications.

Applications are considered active for a 2 year period from the date of the acknowledgment letter.

It is the responsibility of applicants to reapply at the expiry of the 2 year period for each board they are applying for, to maintain an active application.

Section 7 Departmental Screening Panels

Departmental screening panels are volunteers who assist Ministers by reviewing applications to determine which applicants are qualified to fill vacancies on ABCs.

Panel members are recruited with the assistance of the Departmental ABC Administrator and are selected by Ministers. Selection is based on experience in the area of responsibility of the department, having regard to expertise and being representative of the province's diversity. The province's diversity includes regional representation and the equitable representation of women, Aboriginal people, African Nova Scotians, other racially visible persons and persons with disabilities

Each Minister/department:

- will determine the number of screening panel members and the term of appointments;
- is responsible to ensure screening panel members are aware of their obligations under the *Freedom of Information and Protection of Privacy Act* to keep personal information regarding applicants confidential, as required by that Act; and
- will send a letter to each Departmental Screening Panel member advising of the term and duties of their appointment.

All applications to Non-Adjudicative ABCs that are required to be reviewed by the Human Resources Committee, must be reviewed by the Departmental Screening Panel. The following appointments are not required to be submitted to the HR Committee and therefore, are not required to be submitted to the Departmental Screening Panel for screening:

- appointments of provincial public or civil servants by virtue of their employment;
- candidates selected by an open competition and selection process or peer review (e.g. Provincial Judges selected by the Judicial Appointments Committee);
- candidates recommended for appointment to self-regulatory bodies who are elected or recommended by the body (i.e. Nova Scotia Medical Society); and
- candidates recommended for appointment to Hospitals and Universities where the candidate is recommended by the Board of Governors or Directors of the Institution.

Section 8 Screening Process

The qualifications for appointment to an ABC shall be as set out in the Board Member Profile discussed under Section 4.

Departmental screening panels screen for qualifications as established in the Board Member Profile only and do not rank candidates relative to each other.

Departmental screening panels are not to determine candidates qualified for chair as separate from other board members, unless the applicable legislation or Board Member Profile establishes particular qualifications for the chair.

All new / unscreened applications will be brought forward for review by the Departmental Screening Panel. Applications previously screened qualified but not appointed within the 2 year period the application is active are automatically included on the Report to the Responsible Minister (see Section 10).

When it is determined there are insufficient qualified applicants to fill a vacancy(ies), the Departmental ABC Administrator shall contact ECO and the PSC Executive Recruiter to determine further recruitment measures to be taken. Any candidates identified through a subsequent recruitment effort still must apply through ECO and their applications must be screened by the Departmental Screening Panel.

Section 9 Eligibility

Upon completion of the screening process and prior to preparing the report to responsible Minister, qualified applications should be reviewed by the ABC Departmental Administrator to determine the eligibility of an individual to be considered for an appointment.

- Permanent paid constituency assistants for Members of the Legislative Assembly are not eligible for appointment;
- Only one immediate family member may be appointed to a particular ABC at a given time;
- Departmental Screening Panel Members are not eligible for appointment to an ABC they are responsible for screening;
- Individuals who are not residents of Nova Scotia will only be considered for appointment if there are no qualified Nova Scotian applicants;
- Ideally individuals will only be appointed to one ABC at any given time. Situations where it may be desirable or necessary to have an individual serving on more than one ABC at the same time include:
 - where insufficient applications are received from qualified applicants;
 - where a distinct specialty is required for a board;
 - where a member is recommended or nominated pursuant to legislation by an organization arms-length to government and is already a member of another board;
 - where there is a requirement that a member be cross-appointed on inter-related boards at the same time;
 - where in the opinion of the Minister responsible for the ABC it serves the public interest to appoint someone to more than one ABC.

Section 10 Report to the responsible Minister

When the Departmental Screening Panel has completed its review of applications for an ABC, the Departmental ABC Administrator shall forward a report to the responsible Minister for consideration and selection of individuals to be appointed. The report forwarded to the Minister shall include:

- an unranked list of all qualified applicants eligible for appointment to the ABC;
- identification of any incumbent(s) being considered for reappointment (See Reappointments Section 11);
- a recommendation of the length of term for each vacancy to assist in staggering terms;
- identification of applicants who currently serve on another ABC; and
- any other information relevant to the qualifications / eligibility of an applicant for appointment.

Form 2 contains a sample report to the responsible Minister.

Section 11 Reappointments

Incumbents who are qualified, eligible and willing to be reappointed must reapply to ECO as if they were applying for the first time (see Applications Section 6). Applications from incumbents will be screened along with all other applications received to ensure there has been no change in status.

Incumbents who continue to be qualified and eligible for reappointment will be included on the report to the responsible Minister and considered with all other qualified applicants. Departmental ABC Administrators should liaise with the Chairs of the ABCs to ensure that there are no issues that should be identified in the Report to Minister in regard to the reappointment of any incumbents. In all cases, the decision whether an incumbent will be reappointed rests solely with the appointing authority.

Unless otherwise specified in legislation or regulations, it is in the sole discretion of the appointing authority how many terms / total years an appointee can serve on the same ABC. Consideration will be given to the number of terms and length of time an individual has served on a particular board.

Appointment terms should be staggered to allow for orderly succession of the board.

Section 12 Paperwork Required

Once the Minister has chosen the candidate(s) to be appointed, the Departmental ABC Administrator is responsible, in consultation with Department of Justice Legal Services and Communications Nova Scotia for preparing the documentation necessary to finalize the appointment.

OIC Appointment

- Report and Recommendation (Appendix C1), Communications Plan (Appendix C2), Briefing Note (Appendix C3); and
- Form A (Appendix C4), Human Resource Committee Guidelines (Appendix C5), Application Letter/Resume.

Ministerial Appointment

- Request for Ministerial Appointment Form (Appendix C6), Communications Plan, Briefing Note; and
- Form A, Human Resource Committee Guidelines, Application Letter/Resume,

For greater certainty, appointments that are not required to be submitted to the HR Committee do not require a Form A or HR Committee Guidelines to be prepared. All other paperwork requirements in this section must be followed.

Form A and HR Committee Guidelines are to be completed on letter sized paper. All other documents are to be completed on legal sized paper.

All documentation / forms are to be completely filled out and signed by the responsible Minister.

Original documents are forwarded to ECO and placed on the next available Cabinet Agenda.

Based on the expected dates of the monthly HR Committee meetings, the ECO ABC Administrator will send the Departmental ABC Administrators a 6 month outlook calendar containing deadlines when documentation must be received at ECO each month to ensure it is considered by the Executive Council and forwarded in time to the Standing Committee's Office for consideration that month (see Approval Process). The ECO ABC Administrator is responsible to update the 6 month outlook calendar as soon as information is received that meeting dates have been changed.

Section 13 Approval Process

After appointments have been reviewed / approved by the Executive Council, they are forwarded to the HR Committee for approval as required by *House Rule 60*³:

The following appointments are not required to be submitted to the HR Committee for review:

- appointments of provincial public or civil servants by virtue of their employment;
- candidates selected by an open competition and selection process or peer review;
- candidates recommended by self regulatory bodies who are elected or recommended by the body; and
- candidates recommended for appointment to hospitals and universities where the candidate is recommended by the Board of Governors or Directors of the institution.

The appointment or designation of a current ABC member as Chair or Vice Chair of that ABC is not required to be submitted to the HR Committee.

For each appointment required to be submitted to the HR Committee, ECO will forward to the Committee's Office, the Form A and Human Resource Committee Guidelines (including the applicant's cover letter and resume).

Documents must be received by the Standing Committee's Office no later than 7 working days prior to the meeting at which they are to be considered.

If urgent material is received at the Standing Committee's Office after the 7 day deadline, it can be distributed to the HR Committee members. Before it can be considered at the scheduled meeting, a "Waiver of Notice" must be prepared by the HR Committee Coordinator. The Waiver must be unanimously endorsed by all members of the HR Committee. If there is not unanimity, the item will be tabled and placed on the agenda for the next meeting of the HR Committee.

Requests to withdraw an item from the HR Committee agenda shall be communicated by the ECO ABC Administrator to the HR Committee office.

³ See Appendix A for the complete text of House Rule 60.

After the appointment has been considered by the HR Committee, the Standing Committee's Office Staff shall advise the ECO ABC Administrator of the following:

1. Appointments that have been approved - these then proceed as detailed under Appointment Documents.
2. Appointments that have not been approved - all original documentation is returned by the ECO Appointments Administrator to the Departmental ABC Administrator.
3. Appointments that have been stood - these appointments remain on the HR Committee Agenda for consideration at a future meeting.

Section 14 Appointment Documents

Appointments not required to be reviewed by the Human Resources Committee and those that receive the approval of the Human Resources Committee are then processed as follows:

Order In Council (OIC) Appointment

An Order in Council is prepared at ECO and is signed by the Lieutenant Governor. A certified copy of the Order is sent by the ECO staff to the Responsible Minister and the Departmental ABC Administrator, who is then responsible for:

- preparing a letter for the signature of the Responsible Minister notifying the appointee in writing enclosing a copy of the OIC and including information for the appointee on who the member should contact at the ABC for further information (Form 3).

This correspondence shall be copied to the ABC Board Chair /CEO or senior staff member, any departmental staff who support the ABC and the ABC Appointments Administrator.

Ministerial Appointment

The ECO ABC Administrator completes a Ministerial Appointment (Form 4) and forwards it to the Departmental ABC Administrator who is responsible for:

- having the Ministerial Appointment signed by the Responsible Minister;
- preparing a letter for the signature of the Responsible Minister notifying the appointee in writing enclosing a copy of the Ministerial Appointment; and including information for the appointee on who the member should contact at the ABC for further information (Form 5).

This correspondence shall be copied to the ABC Board Chair / CEO or senior staff member, any departmental staff who support the ABC and the ABC Appointments Administrator.

Section 15 Public Notification

The last Friday of each month, the ECO Appointments website will be updated to list all appointments made within the previous 30 days.

Section 16 Resignations and Revocations

Board member resignations must be in writing and provided to the Chair of the ABC. The Chair of the ABC is responsible for notifying the Departmental ABC Administrator of the resignation.

There is no paperwork required to terminate an appointment in the event of the death of an appointee during the term of his/her appointment.

Upon receipt of a notification of a resignation, the Departmental ABC Administrator must notify the ECO Appointments Administrator and complete the following paperwork to give effect to the resignation / revoke the appointment:

Order in Council Appointments

A Report and Recommendation, briefing note and communications plan must be submitted to ECO to obtain an Order in Council revoking the appointment.

Ministerial Appointments

A letter signed by the Minister addressed to the appointee with a copy to the ECO Appointments Administrator confirming the revocation of the appointment.

Section 17 Orientation

There are resources available on the ECO appointments website to provide general information on governing in the public sector.

Each ABC Board supported by their CEO or senior staff member is responsible for developing and implementing an orientation program for new appointees and ongoing professional development.

Form 1
Board Member's Profile

(This form must be completed based on the statutory authority of the particular ABC. Some sections will not be applicable to all ABCs.)

Board Name
Board Member's Profile
Last Revision:

Business and Structure

The (name of organization) is established by section XX of the (legislation).

Brief explanation of business/service provided.

For further information on the (name of organization) please visit www.XXXXXX

Strategic Direction

The mandate of the (name of organization) is XXX

Brief description of the strategic plan adopted by the organization (if applicable).

Governance Structure

The (name of the organization) is governed by a (#) person board appointed by the Minister of XX or by Order in Council.

The senior leadership of the organization is provided by XXX, CEO and an Executive Team.

Board Responsibilities and Accountabilities

Brief description of role, responsibilities and accountabilities for this particular organization.

(For governing boards, include the following)

In general, the board is responsible for the policy, direction and oversight of the organization including:

- setting the strategic direction of the organization aligned with the priorities of government
- monitoring the organization's budget and ensuring required financial and other reporting are completed
- understanding the principal risks facing the agency and the systems/policies in place to minimize or manage those risks
- approving a communications policy for the agency in order to provide a framework for effective stakeholder relations
- establishing corporate values and fostering a culture of integrity
- monitoring the overall performance of the agency against pre-established targets
- organization of board activities including committees
- employing the chief executive officer.

Board Composition

Any qualifications/requirements stipulated in the enabling legislation for the ABC should be included here.

All board members should possess the following personal attributes:

examples:

- high ethical standards and integrity in professional and personal dealings
- appreciation of the responsibilities to the public
- able and willing to raise potentially controversial issues in a manner that encourages dialogue
- flexible, responsive and willing to consider others' opinions
- capable of a wide perspective on issues
- ability to listen and work as a team member
- no direct or indirect conflict of interest with the board member's responsibility to the ABC
- strong reasoning skills
- able and willing to fulfill the time commitment required to carry out the responsibilities.

Collectively, the Board should comprise the following core competencies:

- knowledge of government and the public sector environment
- knowledge of the current and emerging issues affecting the ABC and its industry or sector.

Competencies specifically identified for this organization - examples follow

- operational or technical expertise relevant to the operation of the ABC including:
 - strategic management and organizational change
 - operations
 - internal control and accounting
 - IT
 - communications
 - public sector administration
 - human resources
 - labour relations
 - risk management
 - financial expertise
 - legal expertise

Governance Experience

Previous experience as a director/board member is not required. Candidates are expected to understand the roles and responsibilities of a director/board member and have the necessary experience and demonstrated skills to fully participate in all aspects of operations of the ABC.

Other Considerations

Efforts should be made to identify qualified candidates that are representative of the Province's diversity. The Province's diversity includes regional representation and the equitable representation of women, Aboriginal people, African Nova Scotians, other racially visible persons and persons with disabilities.

Time Commitment

The full board meets **XXX times per year/month**.

Committee meetings are held **XXX times per year/month**.

Meetings are held at **XXX**

Board members can also expect to spend additional time to review materials and prepare for Board and Committee meetings.

Term

Subject to any statutory requirements or restrictions, board members are typically appointed for terms of 1 to 5 years and are eligible for reappointment within recommended guidelines. Attempts are made to stagger board member terms to maintain board continuity while allowing for turnover in positions.

Compensation

Directors receive \$XXX (per meeting/per day) pursuant to **Order in Council XXX or Board Remuneration Policy approved by Executive Council.**

Expenses incurred while on board business will be reimbursed in accordance with the travel policy of the organization or the Province of Nova Scotia Travel Policy contained in Chapter 7.1 of Management Manual 500.

List of Current Board Members

| Member Name | Date of Appointment | Expiry Date of Appointment |
|--------------------|----------------------------|-----------------------------------|
| | | |
| | | |

Senior Executive

Name and title of the senior administrative officer of the organization.

Province of Nova Scotia Non-Adjudicative Boards Appointment Process

Appointments to the board of **XXXXXX** are governed by the Non-Adjudicative Boards Appointment Process Manual, approved by the Executive Council. For more information on the appointment process, and to view a copy of the Manual, please refer to the Province of Nova Scotia Appointments website (www.gov.ns.ca).

Form 2 - Report to the Responsible Minister

| Qualified Applicants | Reappointment | Currently serving on other ABCs | Further information |
|-----------------------------|----------------------|--|----------------------------|
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| Recommended term for each vacancy |
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Form 3 - Letter to OIC Appointee

Ministerial Letterhead

Date
Address of Appointee

Dear Sir/Madame:

RE: Appointment to [Name of ABC]

On behalf of the Executive Council of Nova Scotia, I am pleased to advise of your appointment as a board member of [Name of ABC]. The particulars of your appointment are as follows:

Order in Council #
Effective date
Term

A copy of the Order in Council is enclosed for your records.

The [Name of ABC] Board Chair is

The senior staff person of [Name of ABC] is [Name and Title]

These individuals can be reached at [address, telephone, email etc. for the ABC].

[Include any other relevant information to be conveyed about the ABC or role of the ABC]

Further information on all agencies, boards and commissions, including our corporate orientation program "Governing in the Public Sector: A Guide for Province of Nova Scotia Government Agencies" can be found at www.gov.ns.ca.

Thank you for your willingness to serve in this capacity.

Yours truly,

Minister of [Name of Department]

c.c ABC Board Chair
 CEO or senior staff member
 Departmental staff who support the ABC
 ECO Appointments Administrator

Form 4

Ministerial Appointment

Ministerial Appointment #

Pursuant to Section of [Name of Statute],[Name of Appointee] is appointed to the [Name of ABC], for a term of [# of years] commencing [Date] and ending [Date].

Signed at Halifax, Nova Scotia, this Day of , 200 .

Minister of [Name of Department]

Form 5 - Letter to Ministerial Appointee

Ministerial Letterhead

Date

Address of Appointee

Dear Sir/Madame:

RE: Appointment to [Name of ABC]

As Minister responsible for [Name of ABC] I am pleased to advise of your appointment as a board member of [Name of ABC]. The particulars of your appointment are as follows:

Ministerial Order #

Effective date

Term

A copy of the Ministerial Appointment is enclosed for your records.

The [Name of ABC] Board Chair is

The senior staff person at [Name of ABC] is [Name and Title]

These individuals can be contacted at [address, telephone, email etc. for the ABC].

[Include any other relevant information to be conveyed about the ABC or role of the ABC]

Further information on all agencies, boards and commissions including our corporate orientation program "Governing in the Public Sector: A Guide for Province of Nova Scotia Government Agencies" can be found at www.gov.ns.ca.

Thank you for your willingness to serve in this capacity.

Yours truly

Minister of [Name of Department]

c.c. ABC Board Chair
CEO or senior staff member
Departmental staff who support the ABC
ABC Appointments Administrator

Appendix A

Rule 60 of the Rules and Forms of Procedure of the House of Assembly

COMMITTEES

Striking Committee

60 (1) At the commencement of the first Session of each Assembly, a Special Committee, consisting of five Members, shall be appointed, whose duty it shall be to prepare and report with all convenient speed, listings of Members to compose the Standing Committees of the House for each Assembly, for the following purposes:

1. Internal Affairs;
2. Law Amendments;
3. Private and Local Bills;
4. Public Accounts;
5. Economic Development;
6. Human Resources;
7. Community Services;
8. Resources;
9. Veterans Affairs.

Functions of Standing Committees

- (2) For greater certainty,
- (a) the Internal Affairs Committee is established for the purpose of considering rules, privileges, procedures, matters relative to the Legislative Library and Members amenities and like matters;
 - (b) the Public Accounts Committee is established for the purpose of reviewing the public accounts, the annual report or other report of the Auditor General and any other financial matters respecting the public funds of the Province;
 - (ba) the Economic Development Committee is established for the purpose of considering matters normally assigned to or within the purview of the Nova Scotia Economic Renewal Agency and the Minister responsible for the Agency and the Department and Minister of Transportation and Public Works and matters relating to the Technology and Science Secretariat;

- (c) the Human Resources Committee is established for the purpose of
- (i) considering matters normally assigned to or within the purview of the Departments and Ministers of Education and Culture and of Labour,
 - (ii) reviewing and approving or not approving candidates for appointment to agencies, boards or commissions where the Governor in Council has, pursuant to an enactment, the sole discretion to make the appointment or where the Governor in Council makes the appointment by choosing from a list of nominees provided to the Governor in Council pursuant to an enactment,
 - (iii) reviewing and approving or not approving ministerial appointees to agencies, boards or commissions where, pursuant to an enactment, Governor in Council approval is not required, and
 - (iv) for purposes of greater clarity and certainty, the Committee shall be guided by the terms of reference set out herein and which form part of this Rule;

Terms of Reference in Reviewing Agency, Board and Commission Appointments:

1. Where Governor in Council approval is required for an appointment to an Agency, Board or Commission, after consideration by Executive Council of a person recommended for appointment to an Agency, Board or Commission, the Clerk of the Executive Council shall submit the name of the person to the Human Resources Committee, on Form "A" (attached).
2. Prior to making a Ministerial appointment to an Agency, Board or Commission for which Governor in Council approval is not required, a Minister shall submit the name of the proposed appointee to the Executive Council for consideration. Where the Executive Council recommends the name, the Clerk of the Executive Council shall submit the name of the person to the Human Resources Committee.
3. Committee members shall review the name submitted for approval having regard to qualifications of the individual, affirmative action concerns and, where relevant, the regional representativeness of the Agency, Board or Commission.
4. The purpose of the Committee review is not to replace the function of Government Departments and Ministers in making appointments. Its function is to approve or not approve of the name before it, not to consider or recommend alternative names for appointments.

5. The following appointments shall not be submitted to the Human Resources Committee for review:
 - (a) appointments of provincial public or civil servants by virtue of their employment (i.e. the Deputy Minister of Finance is an unpaid member of the Lotteries Commission);
 - (b) candidates selected by an open competition and selection process or peer review (i.e. Provincial Judges selected by the Judicial Appointments Committee or employees of Agencies, Boards or Commissions);
 - (c) candidates recommended for appointment to self-regulatory bodies who are elected or recommended by the body (i.e. Nova Scotia Medical Society);
 - (d) candidates recommended for appointment to Hospitals and Universities where the candidate is recommended by the Board of Governors or Directors of the Institution.
6. The Committee may interview a recommended candidate where a majority of members support a motion to interview a particular recommended candidate.
7. The Committee shall not hear submissions or representations from anyone not a member of the Committee.
8. Meetings of the Committee shall be open to the public unless the Committee by majority vote determines to meet in camera.
9. The Committee shall meet at least once a month every month of the year irrespective of whether the House of Assembly has been prorogued.
10. The committee shall approve or not approve recommended candidates on the basis of a simple majority.
11. The Committee shall make recommendations with respect to every name submitted by Executive Council on the day it appears on the agenda unless a majority of members agree to defer a recommendation to the next meeting.
12. Recommendations of the Committee shall be accepted by the Executive Council and the Minister responsible for the appointment.
13. The agenda for meetings and a list of recommended candidates and Form "A" will be provided to all members one week in advance.

FORM "A"
RECOMMENDED APPOINTMENT TO
AGENCY, BOARD OR COMMISSION

Name of Agency, Board or Commission

Title of Position for Appointment

Authority for Appointment (please cite statute, regulation, etc., by title and refer to relevant section)

Particulars of Recommended Appointee

Name: _____

Address: _____

Telephone: Business _____

Residence _____

Other (fax, cottage, car: please specify) _____

Nature Of Duties (Brief description)

Qualifications [Refer to expertise and representation (i.e. culture, gender, ethnic, regional) required for position and specific qualifications of recommended appointee. Attach resume, if available.]

Current composition of Agency/Board/Commission: where relevant, gender, regional representation etc., experts or persons with experience similar to the applicant.

If Candidate for appointment has been nominated by an organization, please indicate details.

If request is for Governor in Council approval of appointment made by another organization, please indicate details.

Term of Appointment

Length

Beginning

Time Commitment Expected (Number and duration of meetings, etc.)

Remuneration (Specify whether already set or new recommendation)

This appointment is recommended, subject to the approval by the Human Resources Committee.

Date

Minister

This appointment is recommended subject to approval by the Human Resources Committee of the House of Assembly.

Date

Executive Council

This appointment is approved by the Human Resources Committee of the House of Assembly.

Date

Chair

- (d) the Community Services Committee is established for the purpose of considering matters normally assigned to or within the purview of the Departments and Ministers of Business and Consumer Services and of Municipal Affairs and matters relating to the Human Rights Commission and the Nova Scotia Sport and Recreation Commission;
- (e) the Resources Committee is established for the purpose of considering matters normally assigned to or within the purview of the Departments and Ministers of Agriculture and Marketing, of the Environment, of Fisheries and of Natural Resources.

Chairman of Public Accounts Committee

- (3) The Chairman of the Public Accounts Committee shall be the member chosen at the commencement of the first Session of each Assembly by the Opposition House Leader from among such Members of the Committee as are Members of the Official Opposition.

Posting of list of Standing Committees

- (4) The Clerk of the House shall cause to be affixed in some conspicuous part of the lobbies of the House a list of the several Standing Committees appointed during each Assembly.

Limitation on number of Members

- (5) No Standing Committee of the House shall consist of more than nine Members.

Minister not on Committee

- (5A) With the exception of the Attorney General, who shall serve as Chairman of the Law Amendments Committee, no Minister shall be appointed to a Standing Committee established for the purpose of considering matters normally assigned to or within the purview of that Minister or that Ministers Department.

List of members

- (5B) Notwithstanding anything contained in these Rules, at the beginning of each Session the House Leader of each party shall provide to the Chairman of the Special Committee a list of members from that party who are to be members of the Standing Committees of the House from that party and the members of the Standing Committees of the House from that party and the members of Select and Special Committees, if any.

Substitution for committee member

- (5C) Notwithstanding anything contained in these Rules, where a member of a Standing, Select or Special Committee, including the Committee on Assembly Matters, is not able to attend a meeting of the Committee, another member of the same party may be substituted for that member by the substituted member attending the meeting.

Replacement of committee member

- (5D) Notwithstanding anything contained in these Rules, the member of a Standing, Select or Special Committee, including the Committee on Assembly Matters, may be replaced by another member of the same party by the House Leader of the members' party tabling a notice to that effect and filing a copy of the notice with the Clerk and the Chair of the Committee.

Quorum of Committee

- (6) A majority of the number of Members appointed to compose a Select or Standing Committee shall constitute a quorum unless the House shall otherwise order.

Appendix B
Non Adjudicative ABC List

Advisory Council on the Status of Women

Agriculture

- Livestock Health Services Board
- Maritime Provinces Harness Racing Commission
- Nova Scotia Crop and Livestock Insurance Commission
- Nova Scotia Farm Loan Board
- Nova Scotia Veterinary Medical Association Council
- Weed Control Advisory Committee

Community Services

- Children and Family Services Act Advisory Committee
- Disabled Persons' Commission
- Housing Authority - Annapolis Valley
- Housing Authority - Cape Breton Island
- Housing Authority - Cobequid
- Housing Authority - Eastern Mainland
- Housing Authority - Metropolitan
- Housing Authority - South Shore
- Housing Authority - Tri-County
- Kings Regional Rehabilitation Centre
- Nova Scotia Association of Social Workers Board of Examiners
- Preston Area Housing Fund Board of Directors
- The Round Table on Early Childhood Development

Economic Development

- Film Nova Scotia
- Trade Centre Limited
- Waterfront Development Corporation Limited

Education

- Acadia University - Board of Governors
- Acadia University Foundation
- Atlantic Provinces Special Education Authority
- Board of Examiners, Barbers Act
- Cape Breton University Board of Governors
- Cape Breton University Foundation
- Council on African-Canadian Education
- Council on Mi'kmaq Education
- Dalhousie College and University Board of Governors
- Dalhousie University Foundation
- Dr. P. Anthony Johnstone Memorial Fund Entrance Scholarship

- Library Board - Annapolis Valley
- Library Board - Cape Breton
- Library Board - Colchester/East Hants
- Library Board - Cumberland
- Library Board - Eastern Counties
- Library Board - Halifax Regional
- Library Board - Pictou/Antigonish
- Library Board - South Shore
- Library Board - Western Counties
- Maritime Provinces Higher Education Commission
- Mount St. Vincent University Board of Governors
- Nova Scotia Agricultural College Foundation
- Nova Scotia College of Art & Design, Board of Governors
- Nova Scotia Community College Board of Governors
- Provincial Examining and Licensing Committee in Cosmetology
- Saint Mary's University Board of Governors
- St. Francis Xavier University Foundation
- Teachers College Foundation Board of Governors
- Training Completion Fund, Working Committee
- Université Sainte-Anne Board of Governors
- Women in Engineering Scholarship Selection Committee
- Youth Advisory Council

Environment

- Environmental Trust Advisory Board
- Round Table on Environment and Sustainable Prosperity
- Resource Recovery Fund Board

Energy

- Canada/Nova Scotia Offshore Petroleum Board

Finance

- Halifax-Dartmouth Bridge Commission
- Nova Scotia Credit Union Deposit Insurance Corporation
- Nova Scotia Gaming Corporation

Fisheries and Aquaculture

- Nova Scotia Fisheries and Aquaculture Loan Board

Health

- Advisory Commission on AIDS
- Board of Dispensing Opticians
- Board of the College of Occupational Therapists of Nova Scotia
- Board of the College of Licensed Practical Nurses of Nova Scotia
- Board of the College of Nova Scotia Chiropractors

- Board of the Nova Scotia College of Medical Laboratory Technologists
- Board of the Nova Scotia College of Optometrics
- Board of the Nova Scotia College of Physiotherapists
- Council of the College of Physicians and Surgeons of Nova Scotia
- Council of the College of Registered Nurses of Nova Scotia
- Council of the Nova Scotia College of Pharmacists
- Crosbie Memorial Addictions Trust Fund Board of Trustees
- Denturist Licensing Board
- District Health Authority - 1 South Shore
- District Health Authority - 2 South West Nova
- District Health Authority - 3 Annapolis Valley
- District Health Authority - 4 Colchester East Hants
- District Health Authority - 5 Cumberland
- District Health Authority - 6 Pictou County
- District Health Authority - 7 Guysborough/Antigonish/Strait
- District Health Authority - 8 Cape Breton
- District Health Authority - 9 Capital
- Izaak Walton Killam Health Centre Board of Directors
- Midwifery Regulatory Council
- Nova Scotia Board of Examiners in Psychology
- Nova Scotia Health Research Foundation
- Nova Scotia Prescription Monitoring Board
- Provincial Dental Board of Nova Scotia

Health Promotion & Protection

- Nova Scotia Boxing Authority
- Nova Scotia Gaming Foundation Board of Directors

Justice

- Law Foundation of Nova Scotia - Board of Governors
- Law Reform Commission of Nova Scotia
- Licensed Professional Planners
- Municipal Board of Police Commissioners
- Nova Scotia Human Rights Commission
- Nova Scotia Legal Aid Commission
- Police Advisory Board

Labour and Workforce Development

- Apprenticeship Board
- Alcohol and Gaming Authority - Film Classifiers
- Arbitration Advisory Committee
- Crane Operators Examination Committee
- Fire Safety Advisory Council
- Fire Services Advisory Committee
- Fuel Safety Board of Examination

- Minimum Wage Review Committee
- Occupational Health and Safety Advisory Council
- Power Engineers and Operators Board
- Workers Compensation Board

Natural Resources

- Board of Examiners under the Scalers Act
- Council of Registered Professional Foresters Association of Nova Scotia
- Shubenacadie Canal Commission
- Species-at-Risk Working Group

Nova Scotia Liquor Corporation

Service Nova Scotia and Municipal Relations

- Board of Directors of Embalmers and Funeral Directors
- Certified General Accountants Association of Nova Scotia
- Nova Scotia Municipal Finance Corporation
- Nova Scotia Real Estate Commission
- Public Accountants Board
- Real Estate Appraisers Association Board of Directors

Tourism, Culture and Heritage

- Advisory Council on Heritage Property
- Art Gallery of Nova Scotia Board of Governors
- Gaelic College Foundation Board of Governors
- Nova Scotia Museum
- Peggy's Cove Commission
- Public Archives Board of Trustees
- Sherbrooke Restoration Commission

Transportation and Infrastructure Renewal

- Highway 104 Western Alignment Corporation

Treasury and Policy Board

- Nova Scotia Voluntary Planning Board

Appendix C ADVICE TO EXECUTIVE COUNCIL
Report and Recommendation
to the Executive Council

| |
|---------|
| Number: |
| Dept: |
| Date: |

Subject:
Submitted By:
Prepared By:
Reviewed By:
Deputy Minister:

| | |
|---|--|
| <p>Approvals</p> <hr/> <p>Attorney General Approved as to Form and Authority</p> <hr/> | <p>Summary:</p> |
| <p>Registrar of Regulations Approved as to Form</p> <hr/> <p>Date _____</p> | <p>Please see Management Manual 100, Chapter 3, Section 3.3 “Report and Recommendation to Executive Council” pp. 3-15 - 3-17 for information on the completion of this and other documents required to be submitted to obtain approval of appointments to agencies, boards and commissions.</p> |
| <p>Clerk of the Executive Council</p> <p>Date Rec'd. _____</p> | |
| <p>Treasury and Policy Board</p> <p>Date Rec'd. _____</p> | |
| <p>Executive Council Approved _____ Withdrawn _____ Referred to _____ Date _____</p> | <p>This form is completed on Legal Size paper.</p> |

Communications Plan

[Advice to Executive Council]

Title:

Department:

Accompanying:

Date:

Prepared by:

Background

Communications Objectives

Issues

Target Audiences

Key Message

Talking Points

Potential impact on other departments, agencies, etc.

Strategic Actions/Roll-out Plan

Recommended Spokesperson

Evaluation

Sent to Calendar

Approved by Managing Director:

Approved by Deputy:

Approved by Minister:

BRIEFING NOTE
{Department Which Prepared}

Event Name or Issue Name:

KEY MESSAGE:

CURRENT SITUATION:

-

BACKGROUND:

-

RECOMMENDATION/ADVICE (if appropriate):

-

STANDING COMMITTEE ON HUMAN RESOURCES GUIDELINES

1. Name of Candidate

2. Name of Agency, Board, or Commission (ABC) and the function of the ABC.

3. What qualifications are necessary to be a member of this ABC?

4. In what respect does this candidate satisfy the qualifications described in question #3?

5. Does the ABC currently meet the affirmative action and gender equality policies of the government?

6. What is the current remuneration for this position on the ABC?

7. If the current remuneration is under review, what was the last known remuneration for this position?

8. If the answer to question #6 is \$100 or more per day, a current resume or CV of the applicant must be attached to this form!

** **Please note** that the information reviewed on any resume or CV will be completed by the Committee “in-camera” and not released to the media excepting that should the applicant be the successful candidate to the position on the ABC. If successful, the resume will be open to public scrutiny.

9. Was this vacant position advertised within the last 12 months? Please describe in detail when the ad was published and where these advertisements occurred.

10. How many responses came from the advertisements?

11. Was this person solicited to apply for this position?

12. If applicable, list any special circumstances that the department feels the committee should be aware of when considering this appointment. (Letters from the Minister or ABC can be attached)

13. It is my opinion as the Minister responsible for the ABC that from the candidates that applied to the position that this is the best qualified person to carry out the duties of this position.

Date

Signature

Please note that “not applicable” (n/a) is not considered to be an answer to any of the above questions.

Please note that these guidelines may have what some would view as similar information to that contained on the Form “A,” however, if both the guidelines and the Form “A” are not filled out in their entirety, the Standing Committee on Human Resources will not approve the appointment.

Ministerial Appointment Form



| |
|---------|
| Number: |
| Dept.: |
| Date: |

Subject:

Submitted By:

Prepared By:

Reviewed By:

Deputy Minister:

| | |
|--|--|
| <p>APPROVALS</p> <hr/> <p>Attorney General</p> <p>Approved as to Form and Authority</p> | <p>NAME OF BOARD:</p> |
| <p>The Clerk of the Executive Council Office</p> <p>Date Rec'd. _____</p> <p>Received for information by Executive Council</p> <hr/> <p>Date _____</p> | <p>This form is completed on legal size paper.</p> |

