

POSITION DESCRIPTION

Clerk of the Legislative Assembly

Position #	CLE0001	Salary	Equivalent to a Judge of the Provincial Court of British Columbia upon appointment
Date Updated	October 2019		

BACKGROUND

All Canadian provincial legislatures are established by the *Constitution Act, 1867* (formerly the *British North America Act, 1867*), which provides for the matters over which the provincial legislatures have jurisdiction. The Legislative Assembly of British Columbia's composition and governance are further outlined in the provincial *Constitution Act* (R.S.B.C. 1996, c. 66) and the *Legislative Assembly Management Committee Act* (R.S.B.C. 1996, c. 258). Its proceedings are governed by the *Standing Orders of the Legislative Assembly of British Columbia*.

All permanent officers and employees of the Legislative Assembly are appointed under the provisions of the provincial *Constitution Act*, and provide professional non-partisan services to support the democratic institution of provincial parliament and its Members through a variety of operational areas, including procedural advice, strategic management, administration, security, and information services. The Legislative Assembly is an autonomous employer, separate from the administrative framework of the provincial government.

CONTEXT – CLERK OF THE LEGISLATIVE ASSEMBLY

The position of Clerk of the Legislative Assembly is one of the oldest continuously-held public offices in British Columbia, and predates British Columbia's admission into Confederation in 1871. The Clerk is the senior permanent officer of the Legislative Assembly, and holds significant procedural and senior organizational leadership responsibilities. The Clerk oversees the development and delivery of Assembly services and supports to Members of the Legislative Assembly, recognized caucuses, constituency offices, and parliamentary committees. The Clerk leads a highly skilled and diverse professional team of approximately 330 permanent and auxiliary employees within 14 administrative departments.

The primary procedural role of the Clerk is to contribute to the fulfilment of the Legislative Assembly's constitutional and representative functions by ensuring the Speaker, other Presiding Officers, and all Members of the Legislative Assembly are provided with non-partisan authoritative procedural advice and guidance on the interpretation and application of the Standing Orders, parliamentary practice, and parliamentary privilege. The Clerk is also responsible for the management of all official papers and records of the Assembly and its committees, as set out in statute and in the Standing Orders. The position also serves as Clerk to the Legislative Assembly Management Committee, providing support in coordinating its work.

Pursuant to the provincial *Constitution Act*, an individual is appointed to the position of Clerk by resolution of the Legislative Assembly. As a permanent officer, the Clerk serves at the pleasure of the House, regardless of prorogation or dissolution of the Legislative Assembly. Reporting to the Legislative Assembly through the Speaker, the Clerk's procedural and Chamber responsibilities are central to all legislative functions and operations. To perform the role effectively, the Clerk must have the confidence and support of all Members. As such, the Clerk must be non-partisan and unconnected to any political party, must demonstrate sound judgment, integrity, and diplomacy, and must act with impartiality and discretion.

Like a chief executive officer, the Clerk also holds primary responsibility for major organizational decisions, managing the overall provision of professional and operational services, and reporting on administrative and financial matters to the Legislative Assembly Management Committee, as well as its advisory subcommittee, the Finance and Audit Committee.

The Clerk leads the development of the Legislative Assembly administration's short- and long-term strategic goals in support of the organization's vision and mission, contributing to the evaluation and assessment of Assembly programs. The incumbent must also offer strategic leadership in planning for the continuity of government and the Assembly's core functions, and with any other organizational priorities that may be identified by the Speaker or the Legislative Assembly Management Committee.

The Clerk is responsible for the overall financial management of a budget of \$83 million (FY 2019-20). The budget provides for the operation of the Legislative Assembly and its committees, including the provision of indemnities, allowances and salaries for Members of the Legislative Assembly, officials and staff, and for support services and other related costs. Annually, the Clerk signs the financial statements of the Legislative Assembly, attesting to their accuracy and integrity. The Clerk is also responsible for contributing to the implementation and maintenance of a system of internal controls providing reasonable assurance that assets are safeguarded, that transactions are properly authorized and recorded in compliance with statutory requirements, and that reliable financial information is available on a timely basis for preparation of the financial statements.

The Clerk leads an organization that is committed to value-focused service delivery, and ensures that the Legislative Assembly's administrative departments provide the highest level of support and services to those they serve. The incumbent must work collectively with key officeholders and staff to implement innovative ways in which to enhance organizational efficiency and effectiveness. The incumbent must also maintain awareness of procedural and organizational developments in other parliamentary jurisdictions to identify opportunities for future consideration, organizational improvements, and potential parliamentary reform.

The Clerk must ensure that, as an employer, the Legislative Assembly sustains a healthy workplace and is able to attract, retain, develop, and inspire talented employees to support strong organizational performance.

Four positions report directly to the Clerk: the Deputy Clerk and Clerk of Committees; the Sergeant-at-Arms; the Executive Financial Officer; and the Executive Manager, House Documents and Table Operations.

A governance review is currently being undertaken by the Legislative Assembly Management Committee, which may result in changes to statutes affecting permanent officers' term of office and the accountability relationships for the Clerk of the Legislative Assembly.

MAJOR RESPONSIBILITIES

Further to the context and general overview outlined above, the major responsibilities of the Clerk of the Legislative Assembly are:

- Assisting the Speaker with ensuring the proper functioning and operation of the Legislative Assembly and its committees.
- Providing procedural advice to the Speaker, other Presiding Officers, House Leaders, Members of the Legislative Assembly, caucus staff, government ministries and the public on the interpretation and

application of the Standing Orders of the Legislative Assembly, and parliamentary practice, procedure and privilege.

- Consulting with House Leaders and staff on matters related to the business of the House; providing briefs to Members and staff on a confidential and timely basis on emerging scenarios as and when requested.
- Performing ceremonial and procedural duties in the Chamber, including calling of formal standing votes, requesting of Royal Assent, overseeing the election of a Speaker, and other parliamentary proceedings. It is the responsibility of the Clerk to provide advice and guidance to the Speaker and other Presiding Officers to ensure that parliamentary business is conducted in accordance with the Standing Orders, procedures and practice.
- Researching and writing procedural rulings and statements for the Speaker and other Presiding Officers regarding matters arising in the Legislative Assembly or its committees.
- Safekeeping all papers and records of the Legislative Assembly and its committees in accordance with statute, the Standing Orders or the direction of the Legislative Assembly and its committees.
- Overseeing and approving the daily preparation and printing of the *Votes and Proceedings* and *Orders of the Day* and ensuring the Journals are printed following the end of each Session.
- Certifying bills at each stage and certifying the date on which Royal Assent is granted.
- Providing procedural and administrative support to the Legislative Assembly Management Committee, and its advisory subcommittee, the Finance and Audit Committee.
- Implementing the direction of the Legislative Assembly Management Committee with reference to the Committee's responsibilities for the administration and financial oversight of the Legislative Assembly.
- Leading the Legislative Assembly management team and employees in sustaining a positive, respectful, collegial and productive work environment.
- Prudently managing the financial resources of the Legislative Assembly by implementing the necessary processes and controls, coordinating and preparing the Legislative Assembly's budget, and advising the Speaker and the Legislative Assembly Management Committee in its consideration and approval.
- Ensuring effective organizational leadership in support of innovative, proactive and cost-effective information services, Hansard reporting, broadcasting, library, and research services to meet the needs of Members and employees.
- Providing support and direction for non-partisan parliamentary education and Legislative Assembly internal and external communications to enhance public appreciation, understanding and trust in the Legislative Assembly.
- Leading the development of innovative and on-going orientation services and programming for new and returning Members and supportive transition services for departing Members.
- Overseeing interparliamentary relations such as visits by parliamentary officials to the Legislative Assembly, parliamentary conferences hosted at the Legislative Assembly, and the Legislative Assembly's standing in interparliamentary organizations.
- Liaising with officials in other jurisdictions whenever Members and staff of the Legislative Assembly attend conferences, parliamentary seminars or workshops outside of British Columbia.
- Serving as Secretary of the interparliamentary organizations to which the Legislative Assembly belongs, including the Commonwealth Parliamentary Association and the Assemblée parlementaire de la Francophonie.

SELECTION CRITERIA

Knowledge

- An understanding of the Westminster system of parliamentary government and the respective roles of the Crown, the Executive, Parliament and the judiciary.
- In-depth highly specialized subject-matter knowledge of parliamentary rules of debate, practices and procedures, and parliamentary privilege, and their applicability to the Legislative Assembly of British Columbia and its committees.
- Knowledge of and respect for the principles of parliamentary democracy and the legislative process in British Columbia.
- Knowledge of structure and functions of government ministries and agencies and how they inter-relate with the Legislative Assembly of British Columbia.
- Knowledge of sound management and organizational leadership practices and principles.
- Knowledge of organizational financial management practices and principles.
- Knowledge of provincial and political issues, and current events, issues and legislative initiatives.

Experience and Skills

- Significant experience providing timely and effective advice to Members and staff of a Legislative Assembly that supports the efficient and effective functioning of parliament.
- Significant experience serving in a senior executive role in a public sector environment.
- Significant experience overseeing the operations of an organization or sizeable department in the public sector.
- Significant experience developing and implementing policies and programs, and providing strategic leadership and direction in those undertakings, including oversight and evaluation with respect to service needs and requirements.
- Significant experience in budget development and financial management, including oversight of budgets and financial operations.
- Significant experience overseeing corporate support services in a public sector environment, including information technology support and operations, financial operations, and human resource operations.
- A record of success as a strategic leader with the ability to establish an organizational vision and set strategic direction.
- Superior communication, decision-making and interpersonal skills and an ability to address sensitive, potentially high-profile issues.
- Excellent planning, analytical, and problem-solving skills and an ability to manage relationships in a unique organizational culture.
- Proven experience in developing and maintaining effective relationships with Members and senior officials both within the Legislative Assembly and within the senior public service.
- Ability to exercise judgment, initiative and innovative approaches to problem-solving and undertake responsibilities with discretion, diplomacy and tact.
- Ability to maintain strict discretion and confidentiality in a sensitive political environment.
- Commitment to, and a proven track record of, implementing decisions taken by others.
- A reputation for non-partisanship, integrity, fairness, consistency, and inclusive and constructive communication.
- Ability to establish and maintain high service standards, and to ensure a commitment to non-partisanship and political neutrality amongst all employees of the Legislative Assembly.

- Strong analytical and managerial skills and the commitment to make impartial, fair and transparent decisions.
- Ability to respond to and reconcile tight deadlines and changing priorities and timetables.

Education and Training

- Post-secondary degree(s) from a recognized university in a related discipline, such as Political Science, Law, or Public Administration, or a combination of equivalent education, job-related training, and experience.
- Experience at a senior level in strategic management, organizational change, and implementing modern corporate governance principles and best practices, including leading human resource teams; managing significant financial resources; and leading complex and varied organizational operations.

COMPETENCIES

Service Orientation is understanding the service needs of a client/customer (internal or external) and actively focusing on anticipating, meeting and exceeding the needs in a timely and appropriate manner.

Teamwork and Cooperation is working cooperatively with diverse teams, work groups and across the organization to achieve group and organizational goals. This includes communicating effectively and collaboratively with others.

Results Focus is taking action to achieve challenging goals or high standards. It is focusing on the desired outcomes, setting challenging goals, and taking action to meet or exceed them.

Problem Solving and Judgment is the ability to analyze problems systematically, organize information, identify key factors, identify underlying causes and generate solutions.

Flexibility is the ability and willingness to adapt to and work effectively within a variety of diverse situations, and with diverse individuals or groups. Flexibility entails understanding and appreciating different and opposing perspectives on an issue, adapting one's approach as situations change and accepting changes within one's own job or organization.

Listening, Understand and Responding is the desire and ability to understand and respond effectively to other people from diverse backgrounds. It includes the ability to understand accurately and respond effectively to spoken and unspoken or partly expressed thoughts, feelings and concerns of others.