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MEMORANDUM

TO: HRM Grants Committee
CC: Peter Greechan, Grants & Contributions
FROM: Peta-Jane Temple, Grants & Contributions, Finance
DATE: November 24, 2014
SUBJECT: **Community Grants Program 2015**

We have received a legal opinion that the term “appeal” has a very different connotation to the manner in which it has been used in the context of grant programs. Usually, the term applies to a hearing before a judge, board, or regulatory body. Instead, as noted in the new administrative order for tax relief, policy should state that Council may amend or overturn a recommendation, or refer the matter back to the Grants Committee/staff for further review.

Past practice could have unintentionally undermined the authority of Council in soliciting “appeals” after a decision has been rendered by Council. In practice, a majority of appeals are from applicants who do not like a decision – either in terms of being denied a grant or the value of an award. These appeals are time-consuming and very few relate to an error of omission or the incorrect application of policy or review criteria. For 2015, the *Community Grants Program Guidebook* will be amended to delete reference to an appeal and replaced with “A grant applicant may be referred by Council to the Grants Committee or a Committee of Council for a recommendation to the Council as to whether to provide a grant or an amendment to the value or terms of a recommended award”. This provides consistency among municipal assistance programs.

To manage expectations and alert applicants to the change in process the letter sent to all applicants to acknowledge receipt of a submission will provide notice of this change: “Please be advised that the decision of Council regarding an award is final unless referred by the Council for further review by the Grants Committee or a committee of Council”. Notwithstanding this change, if an error occurs on the part of staff in the review process the committee will be notified of same for the purpose of rectifying the error as required or reasonable.

In effect, both the Grants Committee and Council maintain their ability to amend a staff recommendation by resolution (a motion and vote). Once Council has rendered their decision with respect to an award, any further consideration of an application would be on a motion of Council. This process should expedite issuing awards to successful candidates and eliminate “appeals” that are not merit based nor founded on error or omission.

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