

Consultant Use Policy

This policy applies to all YWCA Hamilton Employees, Contractors, Students & Volunteers

1. PURPOSE

The purpose of this policy is to establish clear and transparent guidelines for engaging consultants and hiring contract staff, ensuring compliance with the Broader Public Sector (BPS) Accountability Act. This policy differentiates between consultants engaged through procurement and contract staff hired through the HR process, providing clarity on their roles, engagement processes, and compliance requirements.

2. SCOPE

This policy applies to all consultant engagements and contract staff hiring processes undertaken by YWCA Hamilton. It outlines the criteria for determining the appropriate engagement type, processes for procurement or recruitment, and compliance with BPS directives.

3. DEFINITIONS

Consultant: An independent contractor or firm engaged to provide expert advice or specialized services for a specific project or deliverable. Consultants are engaged through the procurement process and are not employees of the organization.

Contract Staff: Temporary employees hired through the HR process to backfill regular or temporary roles. They are integrated into the organization and are subject to employment laws and HR policies.

Procurement Process: YWCA Hamilton's method of sourcing, evaluating, and contracting consultants in compliance with the BPS Procurement Directive.

HR Process: The organization's method for recruiting and onboarding contract staff in line with HR policies and employment standards.

4. RESPONSIBILITIES

The Vice President, Finance & Asset Management is responsible for:
Ownership. Owns the policy, ensures compliance with BPSAA, and oversees reporting and approvals.

The Director of Finance (Policy Steward) is responsible for: Maintaining and updating the policy, tracking consultant use, preparing the annual BPSAA report, and ensuring procurement compliance.

The Director of Human Resources is responsible for:
Implementing contract staff hiring processes, ensuring compliance with employment laws, approving contract staff, and maintaining HR records. Reports directly to the CEO.

The Hiring Departments are responsible for:

Identifying needs, provide justification, and monitoring performance of consultants and contract staff.

The Finance Department is responsible for:

Supporting the Director of Finance in tracking consultant expenditures and preparing reports.

The Human Resources Department is responsible for:

Supporting the Director of HR in contract staff recruitment and maintaining records.

The Chief Executive Officer is responsible for:

Approving the policy, signs the annual BPSAA attestation on consultant use, and ensuring overall compliance.

5. POLICY STATEMENT

YWCA Hamilton is committed to engaging consultants and contract staff in a manner that ensures compliance with applicable laws, BPS procurement directives, and organizational policies. All engagements must be justified, documented, and approved to meet transparency and accountability standards.

6. POLICY

Definitions and Distinctions

- **Consultant Engagement:** Consultants are engaged for non-recurring tasks, strategic advisory, or technical expertise through the procurement process. They are not employees of the organization.
- **Contract Staff:** Contract staff are temporary employees hired through the HR process to fill operational roles. They are subject to employment laws and HR policies.

Engagement Processes

- **Consultant Engagements** must follow the BPS Procurement Directive including competitive bidding where applicable and require a written contract outlining scope, deliverables, and payment terms.
- **Contract Staff Hiring** must follow HR procedures including job postings, interviews, and employment contracts specifying duration, responsibilities, and benefits.

Compliance and Approval

- **Consultant engagements** must be approved as per the Delegation of Authority Policy.
- **Contract staff hiring** must be approved by the Director of Human Resources in line with HR policies.

Monitoring and Reporting

- The Finance Department tracks consultant expenditures and prepares the annual BPSAA consultant use report.
- HR maintains records of all contract staff and provides summaries for reporting purposes.

7. PROCEDURE

Step 1: Determine Engagement Type

- Hiring department identifies whether the need is for a consultant (procurement process) or contract staff (HR process).

Step 2: Prepare Documentation

- Departments prepare scope, deliverables, or job descriptions with justification for engagement.

Step 3: Approvals

- All consultant and contract staff contracts must be approved in accordance with the Delegation of Authority (DOA) Policy.

Step 4: Execute Contract

- Procurement manages consultant contracts; HR manages employment contracts for contract staff.

Step 5: Monitor and Report

- Hiring departments monitor performance. Finance prepares the BPSAA consultant use report; HR maintains contract staff records.
- An annual report on consultant use must be prepared in compliance with the BPSAA, detailing consultant names, contract values, procurement methods, and purposes. The report must be reviewed by the VP Finance & Asset Management, attested by the CEO, approved by the Board if required, and publicly posted by the prescribed deadline.

8. REFERENCES

Broader Public Sector (BPS) Accountability Act

9. RELATED DOCUMENTS

Delegation of Authority (DOA) Policy

Approved by:

Medora Uppal, Chief Executive Officer