



PROCEDURE TITLE	PROCEDURE FOR THE DEVELOPMENT AND REVIEW OF GOVERNING DOCUMENTS
Executive Sponsor	Secretary-General
Initial Approval Date	May 18, 2023
Date of Last Review	

Related Documents	<ul style="list-style-type: none">• Policy for the Development and Review of Governing Documents• Appendix A: Governing Document Proposal• Appendix B: Governing Document Template• Appendix C: Procedure Template
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PURPOSE

1. This Procedure is established pursuant to the Policy on the Development and Review of Governing Documents (“Policy”). It outlines the process for the development, approval, review and repeal of Governing Documents and further describes the roles and responsibilities of Executive Sponsors and Delegates and, as the case may be, other members of the University community who are involved at various stages of the life cycle of Governing Documents.

SCOPE

2. This Procedure is to be read in conjunction with the Policy. Capitalized terms not otherwise defined herein shall have the meaning attributed to them in the Policy.

Procedure

General

3. Members of the University community who perceive the need for the development of a new Governing Document, or the revision of an existing Governing Document, shall consult the Executive Sponsor responsible for the subject matter of the proposed new Governing Document. In the case of an existing Governing Document, members of the University community shall consult the named Executive Sponsor. The Executive Sponsor or the Approving Body are responsible for determining the need for the development or review of the Governing Document.

Development and Approval of New Governing Documents

4. When an Executive Sponsor elects to sponsor the development of a new Governing Document, the Executive Sponsor notifies the Secretariat and prepares a Governing Document Proposal using the form prescribed in Appendix A, or assigns a Delegate for that purpose. If completed by a Delegate, the Proposal is subject to the approval and signature of the Executive Sponsor.
5. The Executive Sponsor submits the Proposal to the members of the Senior Administration for review and consideration, on the understanding that they are being asked to endorse the development of a proposed new Governing Document and that they will receive and review for agreement, in due course, the final draft of such Governing Document.
6. If members of the Senior Administration endorse the development of the proposed Governing Document, the Executive Sponsor initiates the development process as outlined in Appendix A.
7. At the completion of the development process, the Executive Sponsor submits the final draft of the Governing Document, with Appendix A, for legal review and for agreement by the Senior Administration. The Executive Sponsor also submits, if any, the Procedures or summary thereof for information.
8. Once the Senior Administration agrees to the Draft Governing Document, the Executive Sponsor, with support and direction from the Secretariat, submits it to the appropriate Approving Body(s).

9. If the Approving Body is the Board of Governors, the Draft Governing Document is normally submitted first to a Board Standing Committee for consideration and recommendation to the Board.
10. Once the Governing Document is approved by the Approving Body, the Secretariat issues an official communication to that effect and publishes the Governing Document in the University's official repository of all Governing Documents, which is accessible on the Secretariat website.

Review, Revision and Repeal of Existing Governing Documents

11. In accordance with the Policy, Governing Documents undergo a substantive review at least once every five years from their effective date and thereafter the date of their most recent review. The Secretariat notifies the Executive Sponsor when a Governing Document is due for such review.
12. The Executive Sponsor may also review a Governing Document prior to the 5-year review date; however, an ad-hoc review that is limited in scope to specific provisions or a specific aspect of a Governing Document does not replace the Governing Document's stated 5-year review date unless the ad hoc review reveals significant policy considerations that would necessitate comprehensive revisions. In such circumstances, the ad hoc review may result in a comprehensive review that would normally take place at the 5-year mark.
13. Following a review, the Executive Sponsor notifies the Secretariat that:
 - (a) No revisions are required or
 - (b) Non-Substantive revisions are required or
 - (c) Revisions are likely required or
 - (d) Repeal is required.
14. Where no revisions are required, the Secretariat sets a new review date for the Governing Document and updates the official repository of all Governing Documents accordingly.
15. Where Non-Substantive Revisions are required, the Executive Sponsor submits them to the Secretariat for review and approval. Once Non-Substantive Revisions are approved, the Secretariat implements the change and updates the official repository of Governing Documents.
16. Where revisions are likely required, the Executive Sponsor refers to and follows the procedure provided for in sections 4 to 10, herein.
17. Where repeal is required, the Executive Sponsor consults with the Secretariat and, as necessary, Legal Services, to determine the applicable form of repeal. There are two forms of repeal: repeal with replacement and repeal without replacement. The procedure provided for in section 4-10 applies, with the necessary modifications, for both forms of repeal.
 - 17.1 Repeal with replacement involves repealing a current Governing Document and introducing a different new Governing Document or revising an existing Governing Document with language indicating that one is replaced by another.

Where repeal with replacement is required, the repeal of the Governing Document is combined with the process for approving the new or revised Governing Document.

- 17.2** A repeal without replacement involves repealing a Governing Document and not replacing it with a different Governing Document

Consultation Guidelines

- 18.** Effective and meaningful consultation with the University community is a fundamental part of the Governing Document development and review process. The Executive Sponsor, with support and direction from the Secretariat, determines the scope, timing and form of the consultation, and may assign a Delegate and/or working group to undertake the consultation accordingly.
- 19.** Generally, the level and extent of consultation is informed by the subject matter and scope of the Governing Document; or in the case of a review of an existing Governing Document, consultation may be limited to the stakeholders who are impacted by a proposed revision.
- 20.** The Executive Sponsor, with support and direction from the Secretariat and Legal Services, and, as needed, any other subject matter experts, may forgo consultation where a revision to a Governing Document is required as a legal imperative to comply with legislation and external regulations. The Executive Sponsor may also forgo consultation where a revision is required to resolve a conflict or contradiction between two or more Governing Documents, unless the revision affects the rights or responsibilities of the University or members of the University community. In such cases where consultation is forgone, the Executive Sponsor ensures that the revision and rationale is clearly communicated to stakeholders in advance of implementation.
- 21.** The Secretariat keeps the University community informed of Governing Documents recently approved, in development and undergoing a review by publishing notice on its website.
- 22.** Following the consultation process, the Executive Sponsor reviews and considers the input received and may incorporate such input, as appropriate, in the Draft Governing Document. The Executive Sponsor is encouraged to advise stakeholders of action taken, in relation to feedback received.

Development and Approval of Secondary Documents

- 23.** Governing Documents are normally accompanied by Procedures. Procedures may not be required if the Governing Documents assign responsibilities and outline the processes for day-to-day operational decision-making, that supports policy objectives.
- 24.** The authority to approve Procedures rests with the Executive Sponsor or Delegate.
- 25.** Other Secondary Documents shall be approved by the Executive Sponsor or Delegate.

Review and Repeal of Secondary Documents

- 26.** All Secondary Documents are reviewed along with their parent Governing Document.

Format and Templates for Governing Documents and Procedures

- 27.** The templates used for the Governing Documents and Procedures are:
 - 27.1** Governing Document Template in Appendix B
 - 27.2** Procedure Template in Appendix C
- 28.** Secondary Documents, other than Procedures, are not subject to following a particular format.
- 29.** Existing Governing Documents that do not meet the format requirements in this Procedure are reformatted at any time prior to or upon the next review, whether scheduled or off-cycle.

Governing Document Proposal Form

Executive Sponsor(s):	
Governing Document Title:	
Type of Proposal:	<input type="checkbox"/> Proposal to develop or review Governing Document (see section A) <input type="checkbox"/> Proposal to repeal existing Governing Document (see section B)

Section A – Proposal to develop or review Governing Document

1. Background and Rationale

Please describe the background and rationale for the Governing Document, making sure to give due consideration, as applicable, to the following points: • Is the Governing Document in response to legislation or external regulations requiring the University to be in compliance? • Does it promote good governance and sound management practices and/or establish standards of conduct? • Does it support the mitigation of a recognized top institutional risk? • Does it align University activities with the University’s mission, strategic priorities or commitments to the principles of academic freedom and equity, diversity and inclusion? • If, in particular, the proposal is to revise an existing Governing Document, does this objective emerge from a 5-year review that is provided for under Policy on the Development and Review of Governing Documents, or from an off-cycle review in response to a specific need, issue or circumstance?

2. Scope

Please provide an overview of the Governing Document’s content, noting what and who is included and excluded from the scope of the Governing Document’s application. If this is a proposal to develop a new Governing Document, does the Governing Document apply to the institution as a whole or to a broad population of University faculty, staff and/or students requiring a University-wide policy or regulation? If this is a proposal to review a Governing Document, would the revision alter its scope or application?

3. Impact on other Governing Documents

Please identify all related Governing Documents. What impact, if any, would the Governing Document or revision thereto have on existing Governing Documents? If this is a proposal to develop a new Governing Document, is there a similar existing Governing Document? If yes, please explain why such Governing Document is not being submitted for revision instead?

4. Legal Review

Has Legal Services Reviewed the Final Draft ? YES NO

If not, please explain:

5. Consultation Plan

5.1 Stakeholders to be consulted as part of the Governing Document development process:

- Secretariat
- Legal Services
- Members of the Senior Administration
- Internal Audit
- McGill University Association of Teachers (MAUT)
- McGill University Non-Academic Staff Association (MUNASA)
- Financial Services (including Procurement Services)
- Analysis, Planning and Budget
- Government Relations
- Institutional Communications
- Research Integrity Office
- Human Resources
- Information Technology Services
- McGill Office of Sustainability
- Dean of Students
- Student Societies and Associations
- Student Housing and Hospitality Services
- Equity and Academic Policies Team
- Office of Indigenous Initiatives
- Other:

Please list any other stakeholders to help identify the target audiences for consultation and engagement. "Stakeholders" refers to any person or group who have or feel they have an interest in an issue or decision, or who can affect or be affected by an issue or decision. Stakeholders should also include subject matter experts. The level and extent of consultation is determined by the subject matter and scope of the Governing Document. In the case of a review of an existing Governing Document, consultation may be limited to only stakeholders who are impacted by a proposed revision.

5.2 Please describe the nature and timeline of the planned consultations:

Examples include town halls, roundtables, meetings, targeted or broad-based surveys, creating a designated webpage on the and posting the draft Governing Document on the Secretariat website.

5.3 Summary of Input Received:

Following the consultation period, please provide a summary of input received indicating, where appropriate, whether this input was incorporated in the final draft of the Governing Document. If the resulting changes to the draft are significant, were key stakeholders engaged in further consultation to ensure consensus on the final draft?

6. Implementation Plan

6.1 Summary of Procedures (if any)

Please provide a summary of the Procedures.

6.2 Communication and Training

Describe any plans for communication and training to build awareness and enable effective implementation of the Governing Document. If appropriate, describe the resource implications for implementing the policy (e.g., financial, human resources, technology, operations, training/education, culture)?

7. Evaluation, Compliance and Reporting

Is there a plan to evaluate the impacts of the Governing Document? If yes, please describe the plan. How will compliance with the Governing Document be monitored? In some cases, legislation or external regulation requires annual reporting to the Approving Body, or a delegate thereof, on the activities undertaken pursuant to a Governing Document. Such annual reports include the results of impact evaluations and/or regular monitoring. Even if such reporting is not externally mandated, it may be a best practice to include a reporting requirement in the proposed Governing Document.

8. Timing Requirements

Please describe any timing issues, requirements, or considerations associated with the proposed Governing Document.

Section B – Proposal to repeal existing Governing Document

1. Background and history of the Governing Document

Please provide a brief outline of the background and legislative history of the Governing Document, making sure to indicate when the Governing Document was initially approved, and to highlight any significant substantive amendments.

2. Rationale for the Proposed Repeal & Impact on other Governing Documents

Please describe the reason and purpose of the proposed repeal. Please identify all related Governing Documents, making sure to note the impact, if any, that the proposed repeal may have on existing Governing Documents? If the proposal emerges because a new Governing Document, or a revision to an existing Governing Document, is replacing an existing Governing Document, or makes an existing Governing Document effectively obsolete or redundant, the proposed repeal may be combined with the process for approving the new or revised Governing Document.

3. Legal Review

Has Legal Services Reviewed the Proposed Repeal ? YES NO

If not, please explain:

GOVERNING DOCUMENT TEMPLATE

**** Instructions: Please fill in appropriate sections and delete all text highlighted in BLUE ****

POLICY NAME	INSERT NAME OF GOVERNING DOCUMENT
Approving Body	To be filled by Secretary-General
Original Approval Date	
Last Revision Date	Date that the Governing Document was last revised.
Next Review Date	Date that the Governing Document is due for review
Related Documents	Related policies, procedures, guidelines, forms (in point form)

1. PREAMBLE

1.1 OPTIONAL. High level statement providing context and principles.

2. PURPOSE

2.1 Reasons that the Governing Document exists.

3. APPLICATION/SCOPE

3.1 Outline of the activities governed by the Governing Document and the constituents affected.

4. DEFINITIONS

4.1 Define relevant terms contained in the Governing Document.

5. POLICY CONTENT

5.1 This section may include numerous sub-headings, such as roles and responsibilities, exceptions etc.

6. REPORTING

6.1 To ensure proper governance oversight, consider the submission of an annual report to the Approving Body or Committee thereof in accordance with section 5 of the Policy on the Development and Review of Governing Documents.

7. AUTHORITY TO APPROVE PROCEDURES

7.1 Delegation of authority, if any, for the development and approval of Procedures.

8. REVIEW

8.1 This section sets out the mandatory review periods and requirements.

PROCEDURE TEMPLATE

*** Instructions: Please fill in appropriate sections and delete all text highlighted in BLUE ***

PROCEDURE TITLE	INSERT NAME OF PROCEDURE
Executive Sponsor	Executive Sponsor of the parent Policy or Regulation.
Original Approval Date	Date that the Procedure was originally approved by Executive Sponsor
Last Revision Date:	Date that the Procedure was last revised
Next Review Date:	Date that the Procedure is due for review
Related Documents	Related policies, procedures, guidelines, forms (in point form)

1. PURPOSE

1.1 Reasons that the PROCEDURE exists.

2. APPLICATION/SCOPE

2.1 Outline of the activities governed by the PROCEDURE and the constituents affected.

3. DEFINITIONS

3.1 Define relevant terms not otherwise defined in the parent Policy or Regulation.

4. PROCEDURE CONTENT

4.1 This section may include numerous sub-headings.

5. REPORTING

5.1 To ensure proper governance oversight, consider the submission of an annual report to the Approving Body or Committee thereof in accordance with section 5 of the Policy on the Development and Review of Governing Documents.

6. REVIEW

6.1 This section sets out the mandatory review periods and requirements.