

Closed Meetings: Tips for Local Services Boards

Starting August 1, 2025, the *Northern Services Boards Act* (s. 10*) requires meetings of Local Services Boards to be open to the public, with certain narrow exceptions.

A part of a meeting **MAY** be closed to the public if the subject matter being considered involves:

- Personal matters about an identifiable individual;
- Litigation or potential litigation;
- Advice subject to solicitor-client privilege;
- Information explicitly supplied in confidence to the Board by the federal government, a province or territory or a Crown agency; or
- A position, plan, procedure, criteria, or instruction for negotiations by or on behalf of the Board.

A part of a meeting **MUST** be closed to the public if the subject matter being considered is:

- A request under the *Municipal Freedom of Information and Protection of Privacy Act*;
- An ongoing investigation by the Ombudsman.

The open meeting rules in the *Northern Services Boards Act* are similar (but not identical to) the open meeting rules in the *Municipal Act, 2001* for municipal bodies. Despite the differences in legislation, the Ombudsman's resources and best practices for municipal meetings may be useful for Local Services Boards.

Scan this QR code for the Ombudsman's *Open Meetings – Guide for Municipalities* and *Open Meetings Case Digest*.



* NOTE: The Act's text has been paraphrased in places for brevity; please consult the Act for the exact wording.

Closed Meeting Procedures

Provide public notice:

Provide notice of meetings to the public including the date, time, purpose, and how the public can observe. For electronic meetings, include a link or call-in number. Meeting agendas should be provided in advance and include any planned closed sessions, along with the reasons for closing them.

Pass a meaningful resolution:

Before closing a meeting, pass a resolution in open session that states the fact of the closed meeting and meaningful information about the issue to be discussed behind closed doors. Include the applicable exception(s) and give as much information about the subject as possible without undermining the reason for closing the meeting.

Stay on topic:

While in closed session, ensure the discussion remains on the topic cited in the resolution authorizing the closed session.

Vote with caution:

Voting in closed session is allowed only for procedural reasons or to give directions or instructions to an officer, agent, or contractor of the Board. All decisions should be made by voting, and votes should be recorded in the minutes.

Record the meeting:

Closed session minutes should include the location, date, time, attendees, any votes taken, and a meaningful description of all matters discussed. The Ombudsman also recommends making audio or video recordings of all closed sessions.

When in doubt,
keep the meeting open.

Questions?
info@ombudsman.on.ca