

LAC LA BICHE COUNTY POLICY

TITLE: COUNCIL MEMBERS' CODE OF CONDUCT	POLICY NO: CS-11-006
RESOLUTION: 12.240	EFFECTIVE DATE: JANUARY 12, 2010
LEAD ROLE: MANAGER, LEGISLATIVE SERVICES	NEXT REVIEW DATE: MARCH 15, 2013
SPECIAL NOTES/CROSS REFERENCE: 10.007; 11.014; AC-11-006	AMENDMENT DATE: MARCH 15, 2012

POLICY STATEMENT:

Lac La Biche County Council commits to ethical, businesslike and lawful conduct, including proper use of authority and appropriate decorum when acting as Council Members. This policy is intended to establish a foundation for effective governance as well as standards for ethical and interpersonal conduct for Members of Council.

PROCEDURE:

1. Standard of Conduct

- i. Council Members will support the citizens' choice of elected officials and show respect for the position and a willingness to make the system of government work well.
- ii. As a Council, Members will maintain a genuine desire to work together and keep Council a solid workable unit. Councillors will work with each other on Council so that the will of the public in electing each other is respected.
- iii. The primary obligation of Council Members is to represent the best interest of Lac La Biche County. This accountability supersedes all other interest. Where Council Members are appointed as members of Committees or Boards, they serve a liaison role.
- iv. Councillors shall consider the welfare and interests of the municipality as a whole and to bring to Council's attention anything that would promote the welfare or interest of the municipality.
- v. Councillors will participate generally in developing and evaluating the policies and programs of the municipality.
- vi. Council Members will observe a high standard of professionalism when representing Lac La Biche County in their dealings with the community. Councillors shall hold themselves to the highest standard when engaging in any form of public conduct.
- vii. Council Members' interaction with the public, press or other entities must recognize the same limitation of any Council Member to speak for Council, except to repeat explicitly stated Council decisions.

- viii. Council Members should inform the Mayor or the Chief Administrative Officer when they are unable to attend a scheduled meeting.

2. Respect for the Decision Making Process

- i. All Members of Council shall communicate and work toward the effective and consistent implementation of the positions and decisions of the Council, even if they disagree with Council decisions. In this way, Councillors will foster respect for the democratic decision making process.
- ii. Debate shall be healthy and limited to the decisions that affect the programs of Lac La Biche County. Councillors will show respect for all other Members of Council and County Administration. Councillors will not make personal comments of others either in Chambers or in the public.
- iii. Councillors will take all points of view into account when making decisions; withholding judgment on requested decisions until all of the information has been considered including the ideas and opinions of each Member of Council.
- iv. Council Members will think independently and refrain from forming allegiances with fractions within Council.
- v. Council Members will refrain from showing added consideration to the views of any individuals in the community regardless of how important they may be perceived to be.

3. Release of Confidential Information

- i. Members of Council shall hold in strict confidence all information concerning matters deemed confidential.
- ii. A Member of Council shall not, either directly or indirectly, release, make public or in any way divulge any information which is deemed to be confidential unless expressly authorized by Council or required by law to do so. Confidential information includes:
 - a. Any aspect of in camera deliberations;
 - b. Information identified as confidential within the provisions of the Freedom of Information and Protection of Privacy Act;
 - c. Information subject to solicitor-client privilege.
- iii. Council Members will keep in confidence matters discussed in camera at a Council or Committee meeting until discussed at a meeting held in public.

4. Release of Information to the Public and Media

- i. Members of Council acknowledge that official information related to the decisions and resolutions of Council will normally be communicated to the community and the media by:
 - a. Council as a Whole;
 - b. The Mayor as Head of Council, or designate;

- c. The Chief Administrative Officer;
- d. The Manager, Communications.

5. Acceptance of Gifts

- i. No Member of Council shall solicit or accept a reward, gift of benefit of any kind, personally or through a family member or friend, which is connected directly or indirectly with the performance or duties of office. Members of Council are not precluded from accepting:
 - a. Rewards, gifts or benefits not connected with the performance or duties of office;
 - b. Political contributions that are accepted in accordance with applicable law;
 - c. Reasonable quantities of food and beverages a banquets, receptions, ceremonies or similar events;
 - d. Services provided without compensation by persons volunteering their time;
 - e. Food, lodging, transportation and entertainment provided by other levels of governments or by other local government, boards or commissions;
 - f. A reimbursement of expenses incurred in the performance of duties or office;
 - g. Token gifts such as souvenirs, mementos and commemorative gifts that are given in recognition of serve or for attending an event;
 - h. Gifts that are received as an incident of protocol or social obligation that normally and reasonably accompany the responsibility of office.

6. Conflict of Interest

- i. Members of Council shall not engage in any activity, financial or otherwise, which is incompatible or inconsistent with the ethical discharge of official duties in the public interest. These activities include, but are not limited to:
 - a. Self-dealing or conduct of business or personal service between the Council Member and the Corporation, except as provided by the Municipal Government Act;
 - b. Using their positions as Council Member to obtain employment with the Corporation for themselves, family members or close associates;
 - c. Use any influence of office for any purpose other than official duties;
 - d. Acting as an agent before Council or any committee, board or commission of Council;
 - e. Use of information gained in the execution of office that is not available to the general public for any purpose than for official duties;
 - f. Placing themselves in a position of obligation to any person or organization which might reasonably benefit from special consideration or may seek preferential treatment;
 - g. Giving preferential treatment to any person or organization in which a Member or Members of Council have financial interest;
 - h. Influencing any Administrative or Council decision or decision-making process involving or affecting any person or organization in which a Member or Members of Council have a financial interest;
 - i. Use of corporate materials, equipment, facilities or employees for personal gain or for any private purpose.

- ii. Members of Council will disclose their affiliations or interest with an organization that may affect their decision making on matters before Council, regarding that organization.

7. Respect for Separation of Roles of Council and Administration

- i. Members of Council shall at all times conduct themselves in a manner that reflects the separation of roles and responsibilities between Council and Administration.
- ii. Council Members' interaction with the Chief Administrative Officer or with staff must recognize the lack of authority vested in individuals.
- iii. In order to effectively demonstrate respect for the separation of roles, Members of Council shall:
 - a. Provide leadership to the Chief Administrative Officer as a body and not individually. The Office of the Mayor will maintain liaison between meetings of Council;
 - b. Work in collaboration with the Chief Administrative Officer and the Administration. Councillors will act respectfully at all times;
 - c. Provide reasonable notice to the Chief Administrative Officer before entering any municipal facility in which municipal employees are known to be working;
 - d. Convey all concerns or request for action directly to the Chief Administrative Officer or an appropriate department head.
 - e. Convey comments on employee performance to the Chief Administrative Officer.
 - f. Make all request for information to the Chief Administrative Officer or an appropriate department head;
 - g. Receive all information directly from the Chief Administrative Officer. Other members of Administration may appear before Council at the discretion of the Chief Administrative Officer.
- iv. In order to effectively demonstrate respect for the separation of roles, Members of Council shall not:
 - a. Give direction to any municipal employee or contracted resource, except where that direction is provided to the Chief Administrative Officer and represents a position of decision of Council;
 - b. Commit the municipality to any specific course of action, expenditure, or use of municipal resources;
 - c. Solicit, demand or accept the services of any corporate employee, or individual providing services on a contract for service;
 - d. Advocate for the promotion, sanction, or termination of any municipal employee;
 - e. Make public comment on employee performance;
 - f. Engage in any friendship, social relationship or social interaction with a member of Administration, which is not a component of an official municipal event, ceremony or function.

8. Discrimination and Harassment

- i. Members of Council shall not discriminate against anyone on the basis of their race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, record of offences, marital status, same-sex partnership status, family status, or disability.
- ii. In accordance with the Human Rights Code, harassment shall mean engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome. Members of Council shall not:
 - a. Make racial, homophobic, sexist or ethnic slurs;
 - b. Display pornographic, homophobic, sexist, racist or other offensive or derogatory material;
 - c. Make leering (suggestive staring) or other offensive gestures;
 - d. Make written or verbal abuse or threats;
 - e. Commit physical or sexual assault;
 - f. Make unwelcome remarks, jokes, innuendos or taunting statement about a person's physical appearance, racial background, colour, ethnic origin, place of origin, citizenship, ancestry, creed, sex, sexual orientation, age, record of offences, marital status, same-sex partnership status, family status, or disability;
 - g. Make unnecessary or unwanted physical contact, including touching, patting or pinching;
 - h. Make demands for sexual favours.

9. Breach of Conduct

- i. In the event that a Member of Council believes that one (or more) of the procedures of the Council Members' Code of Conduct has been breached by another Member of Council, the following steps shall be taken:
 - a. Any Member who perceives that a violation has occurred, shall advise the offending Member in writing. The written notice shall be copied to the Mayor. If the complaint is against the Mayor, then the complaint should be lodged with the Deputy Mayor.
 - b. The Mayor, or Deputy Mayor, shall ensure that the complaint is included on a Council agenda, during an in camera session, for the purpose of considering the complaint.
 - c. If Council determines that the complaint is valid, then any or all of the following sanctions may be imposed by Council resolution at a public Council Meeting:
 1. Verbal reprimand provided by the Mayor or Deputy Mayor;
 2. Written Censure;
 3. Termination of the Councillor's appointment to Committees;
 4. Request an inquiry under section 572 of the Municipal Government Act;
 5. Initiate legal action under section 175 of the Municipal Government Act, if the breach relates to a conflict of interest pursuant to sections 169-173 of the Municipal Government Act and if the Councillor refuses to resign immediately.

“Original Signed”
Chief Administrative Officer

March 21, 2012
Date

“Original Signed”
Mayor

March 22, 2012
Date