

## LAC LA BICHE COUNTY POLICY

TITLE: COUNCIL MEMBERS' CODE OF CONDUCT	POLICY NO: CS-11-006
RESOLUTION: 16.380	EFFECTIVE DATE: JANUARY 12, 2010
LEAD ROLE: MANAGER, LEGISLATIVE SERVICES	NEXT REVIEW DATE: OCTOBER 1, 2018
SPECIAL NOTES/CROSS REFERENCE: CS-11-009; CS-11-014; CS-11-016	AMENDMENT DATE: MARCH 22, 2016

### PREAMBLE

This Code of Conduct is a value-based reference intended to encourage the highest standards of ethical behaviour as to uphold public trust, integrity of governance, and Lac La Biche County's reputation. It is incumbent upon elected officials to be aware of, understand, and adhere to this Code of Conduct and all legislation governing their conduct.

### POLICY STATEMENT

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

### SCOPE

This Code of Conduct shall apply to all elected officials of Lac La Biche County in the discharging of their official duties.

### STANDARDS

#### 1. General Standards

- 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. 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.

- iv. Councillors will participate generally in developing and evaluating the policies and programs of the Municipality.
- v. 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.
- vi. 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.
- vii. Members of Council shall endeavor to attend all meetings of Council and the committees on which they sit.
- viii. Council Members shall inform the Mayor or the Chief Administrative Officer when they are unable to attend a scheduled meeting of Council or Council Committee.

## **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 or causing factions within Council or any Boards or Committees on which they sit.
- v. Council Members will refrain from showing added consideration to the views of any individuals in the community, regardless of perceived social position.

## **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, but is not limited to:
  - 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. When participating in public forums, interviews, or communicating information of Council's actions to the public and media, Councillors shall endeavor to communicate accurate and unbiased information.
- ii. 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.
- ii. 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;  
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. Use of information gained in the execution of office that is not available to the general public for any purpose than for official duties;
  - e. Placing themselves in a position of obligation to any person or organization which might reasonably benefit from special consideration or may seek preferential treatment;
  - f. Giving preferential treatment to any person or organization in which a Member or Members of Council have financial interest;
  - g. 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;
  - h. Use of corporate materials, equipment, facilities or employees for personal gain or for any private purpose.
- ii. To determine if matters before County Council give rise to a pecuniary interest or a conflict of interest, a Member may seek legal advice either through a resolution of Council or independently. Independent legal advice is at the personal expense of the requesting Member.

## **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 will 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 Administration. Councillors will act respectfully at all times;

- c. Provide reasonable notice to the Chief Administrative Officer before contacting any County employee:
    - for purposes related to the work of Council or Committee of Council or service/program offered by the Municipality; or
    - for the purpose of applying for or receiving a benefit under a service or program offered by the Municipality and that benefit is particular to the Councillor or group the Councillor is representing;
  - 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. Seek to engage a member of Administration or County employee in any friendship, social relationship, or social interaction for any purpose that contravenes this Code of Conduct.

## **8. Political Affiliations**

- i. Members of Council shall acknowledge the non-partisan duties of municipal office and shall refrain from showing special consideration toward any particular provincial or federal political parties. This clause does not serve to restrict Members of Council from liaising with elected officers within other levels of government.

## **9. 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. Members of Council shall support an inclusive and inviting environment where differences between members are celebrated.

- iii. 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 ethical 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.

## **10. Attire and Appearance**

- i. Members of Council shall present themselves in clothing that is in good repair, clean, pressed, and to a standard that complies with the guidelines established in this policy.
- ii. Items that are non-compliant with this policy will be regarded as unacceptable clothing and will be in breach of the policy.
- iii. Members of Council shall exercise sound judgement and common sense for their attire at all times, while upholding standards of professionalism and respect for their position as an elected official.

While attending all meetings of Council, elected officials shall dress in business or business casual attire.

- iv. While representing Lac La Biche County Council at events outside of Council meetings, members of Council shall dress in attire consistent with the event, all while demonstrating professionalism.

## **11. Use of Electronic Devices & Social Media**

- i. Members of Council shall refrain from the use of cellular phones or personal electronic devices during all Council Meetings unless explicitly granted permission by the Chair.
- ii. When using social media platforms in the official capacity of elected officials of Lac La Biche County, members of Council shall:
  - a. Take reasonable measures to use social media for the greater good of their constituency and the County.

- b. Use social media as a platform to support the work of Council, Administration, policies, programs, and decisions of the County and not criticize the Council, Municipality, Municipal partners, other levels of government, or Administration.
- c. Maintain confidentiality by not posting any information discussed in closed sessions or private meetings. Information that would not normally be presented in a public forum shall not be shared.
- d. Not post private or confidential information about fellow Councillors, Lac La Biche County employees, or constituents. Members of Council shall not discuss situations involving named, pictured, or otherwise identifiable individuals without their expressed permission.
- e. Not act in place of Lac La Biche County Administration by answering questions from constituents. Members of Council shall refer questions on matters of operations to Administration when unable to respond with accurate or timely information.
- f. Endeavor to provide accurate and timely information to constituents in an accessible and professional manner.
- g. Endeavour to maintain separate social media accounts for their personal and professional activities.
- h. Ensure decisions and initiatives of Council have been made public by Administration before being shared through social media.

## **12. Review of Code**

- i. Following a general municipal election or by-election to fill a vacancy, the newly elected Member(s) shall review this policy as part of the elected official orientation. Following the orientation review, Members of Council shall acknowledge the standards of this Code by signing the acknowledgement statement, as outlined in Schedule A of this policy.
- ii. This policy shall be reviewed by all Members at the annual Organizational Meeting. The Mayor or Deputy Mayor may initiate a more frequent review by all Members of this code, if deemed necessary.

## **13. Breach of Conduct**

- i. In the event that a Member of Council believes that one or more of the prescriptions of the Council Members' Code of Conduct has been breached by another Member of Council, the following procedure shall be followed:

### Breach of Conduct Procedure

- 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. Legal action initiated 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

April 11, 2016  
Date

"Original Signed"  
Mayor

April 12, 2016  
Date

**SCHEDULE A**

**Council Members' Code of Conduct**

**Statement of Acknowledgement**

I, \_\_\_\_\_, acknowledge that that I understand and support the standards of conduct outlined in the Lac La Biche County Council Members' Code of Conduct.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_

Signature of Council Member

\_\_\_\_\_

Signature of Chief Administrative Officer