



Policy Title Council Personal Code of Conduct	Date: June 13/16	Resolution No. 1002/16
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Background:

The proper operation of a democratic municipal government requires that elected officials be independent, impartial and duly responsible to the public, and therefore, Council members must maintain high standards of professional conduct.

Purpose:

The purpose of this Code is to establish guidelines for the ethical and inter-personal conduct of members of Council (“members”). Council is answerable to the community through the democratic process and this Code will assist in providing for the good government of the Summer Village.

The residents of the Summer Village are entitled to have fair, ethical and accountable local government.

To this end, the Summer Village of Birchcliff has adopted this Code of Conduct to encourage public confidence in the integrity of local government and its full and effective operation.

Council members shall sign this personal code of conduct at each Organizational Meeting for the Summer Village as a symbol of each Council member’s continuing commitment to abide by the principles of this code.

1. Act in the Public Interest

Recognizing that stewardship of the public interest must be their primary concern, Council members shall work for the common good of the people of the Summer Village and not for any private or personal interest, and they will endeavor to treat all persons, claims and transactions in a fair and equitable manner. Council members shall not:

- Give preferential treatment to any person or organization which might reasonably benefit from special consideration or may seek preferential treatment.
- Give preferential treatment to any organization in which a member or member of Council have a financial interest.

2. Comply with the Law

Council members shall comply with the laws of the nation, the province and the Summer Village of Birchcliff in the performance of their public duties. These laws include, but are not limited to,

The Canadian Charter of Rights and Freedoms, Municipal Government Act, Alberta Human Rights Act, Freedom of Information and Protection of Privacy Act (FOIP), Local Authorities Election Act, Criminal Code of Canada and the Summer Village of Birchcliff bylaws.

3. Conduct of Members

Council members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of the Council, boards, commissions, committees, staff or the public. Members shall perform the functions of office truly, faithfully and impartially to the best of their knowledge and ability in accordance with the following core values:

- a) Integrity – giving the municipality’s interests absolute priority over private individual interests,
- b) Honesty – being truthful and open,
- c) Objectivity – making decisions based on a careful analysis of the facts, and willingness to listen to all sides, receptive to all initiatives,
- d) Accountability – being accountable to each other and the public for decisions taken,
- e) Leadership – confronting challenges and providing direction on the issues of the day.

4. Respect for Process

Council member duties shall be performed in accordance with the Procedures Bylaw, processes and rules of order established by the Council.

5. Conduct of Public Meetings

Council members shall inform themselves of public issues, listen attentively to public discussions before the body and focus on the business at hand.

6. Decisions Based on Merit

Council decisions shall be based upon the merits and substance of the matter at hand.

7. Communication

It is the responsibility of Council members to publicly share substantive information that is relevant to a matter under consideration that they have received from sources outside of the public decision-making process with all other Council members.

8. Coordination with Summer Village Staff

Appropriate Summer Village staff should be involved when Council members meet with officials from other agencies and jurisdictions to ensure proper staff support is available if needed and to keep staff informed.

Council members shall acknowledge and respect that staff work for the Summer Village as a corporate body and are responsible for making recommendations that reflect their professional

expertise and the municipality's corporate objectives without undue influence from any individual Councillor.

Members shall acknowledge and respect that staff carry out directions of Council as a whole and administer the policies of the Summer Village.

9. Disclose of Corruption

All Summer Village officials shall take an oath upon assuming office, pledging to uphold the Summer Village, Provincial and Federal government laws. As part of this oath, officials commit to disclosing to the appropriate authorities and/or to the Summer Village Council any behavior or activity that may qualify as corruption, abuse, fraud, bribery or other violation of the laws.

10. Conflict of Interest

In order to assure their independence and impartiality on behalf of the public good, Council members shall not use their official positions to influence government decisions in which they have a financial interest or where they have an organizational responsibility or a personal relationship that would present a pecuniary interest under applicable legislation.

In accordance with the legislation, members shall declare if they have a pecuniary interest regarding a particular decision, refrain from participating in that decision unless otherwise permitted by legislation.

11. Gifts and Favors

Council members shall not take advantage of services or opportunities for personal gain by virtue of their public office that are not available to the public in general. They shall refrain from accepting gifts, favors or promises of future benefits that might compromise their independence of judgement or action or give the appearance of being compromised.

12. Confidential Information

Council members shall respect and preserve the confidentiality of information provided to them concerning the confidential matters of the Summer Village. They shall neither disclose confidential information without proper legal authorization nor use such information to advance their personal, financial or private interests.

13. Use of Public Resources

Public resources not available to the general public (e.g. Summer Village staff time, equipment, supplies or facilities) shall not be used by Council members for private gain or personal purposes.

14. Representation of Private Interests

In keeping with their role as stewards of the public trust, Council members shall not appear on behalf of the private interests of a third-party before the Summer Village Council of any board, commission or committee or proceeding of the Summer Village.

15. Advocacy

To the best of their ability, Council members shall represent the official policies and positions of the Summer Village Council. When presenting their personal opinions or positions, members shall explicitly state that they do not represent the Council or the Summer Village.

16. Improper Influence

Council members shall refrain from using their position to improperly influence the deliberations or decisions of the Summer Village staff, boards, commissions or committees.

17. Policy Role of Members

Each member of Council will respect the legislation which accords to Council as a whole the authority to make decisions which guide the actions of administration. Council members shall respect and adhere to the Council structure of the Summer Village government as provided in the Summer Village Bylaws.

18. Positive Work Environment

Council members shall support the maintenance of a positive and constructive environment for residents, businesses and village employees. Council members acknowledge that Council has established a Respectful Workplace Policy and shall abide by the spirit and intent of this policy. Any infractions of the Respectful Workplace Policy by a council member shall be dealt with in accordance with this Code of Conduct.

19. Implementation

Council Personal Code of Conduct shall be included in the regular orientations for Summer Village Council candidates. Council members entering office shall sign a statement affirming they read and understood the Summer Village of Birchcliff Council Code of Conduct.

20. Compliance and Enforcement

Council members themselves have the primary responsibility to assure that ethical standards are understood and met and that the public can continue to have full confidence in the integrity of Summer Village government.

Council members have a duty of help create a responsive, accessible, transparent and fair municipal government. Accordingly, Members have a duty to question whether another

member is violating legislation, ethics or respectful behavior relating to the Summer Village of Birchcliff government, as set forth in this Code of Conduct.

Council members have a responsibility and duty to participate in alternative remediations (individual conversation, information meetings with third party) prior to the formal filing of concern.

Should a member of Council breach any of the principles as outlined in this policy, the possible courses of action that are available to Council include but are not limited to:

- a) Apology by the member of Council to the impacted individual(s).
- b) Removal of the member from Council Committees or representative bodies.
- c) Dismissal of the member from a position of Mayor or Deputy Mayor.
- d) Educational training on ethical and respectful conduct provided by a third party. Any action taken pursuant to this policy should include a time frame and what remedial action is required.

A member of Council who believes a member is in violation of this policy may report their concerns to the Mayor, or in the case of an allegation against the Mayor, the Deputy Mayor.

Council delegates the authority for administering the compliance and enforcement section of this policy to the Mayor, or in a case of an allegation against the Mayor, the Deputy Mayor.

At the discretion of the Mayor all substantiated violations and reports shall be reported to Council in an In-Camera Meeting of Council.

All discussions surrounding the alleged and substantiated violations of this policy shall remain confidential under the appropriate sections of the Freedom of Information and Privacy (FOIP) Act.

21. Appeal Process

Appeals will be referred to Council at an In-Camera session for final municipal adjudication.

The Summer Village Council Personal Code of Conduct document shall be considered to be the definitive municipal document relating to ethical conduct by the Summer Village of Birchcliff Council members.

I affirm that I have read and understand the Summer Village of Birchcliff Council Personal Code of Conduct.

Signature of Councillor

Date