

TOWN OF LAKE COWICHAN

COUNCIL POLICY



DATE APPROVED: November 28th, 2017

APPROVED BY: R.0168(1)/17

SUBJECT: Town of Lake Cowichan Code of Ethics

1. PURPOSE

The Town of Lake Cowichan shall strive at all times to be an ethical organization. The fundamental relationship between Council and its residents must be one of mutual trust; essential to trust is a commitment to honesty and integrity.

To help achieve those goals, council members have committed to strive to ensure that:

- public business is conducted with integrity and in a fair, honest and open manner;
- members respect one another, the public and staff and recognize the unique role and contribution each person has in making the Town a better place to work and live in;
- their conduct in the performance of their duties and responsibilities with the Town is above reproach; and
- the decision-making process is open, accessible, participatory, understandable, timely and just, in addition to the requirements of applicable enactments.

2. POLICY

Application of the Code

To this end, the Council of the Town of Lake Cowichan has adopted a Code of Ethics applicable to members of Council and to any person appointed by Council to boards, committees, commissions, panels or task forces. Recognizing that the Town seeks to maintain and enhance the quality of life for all Town residents through effective, responsive, and responsible government, members will conduct their business with integrity, in a fair, honest and open manner.

1. Comply with the Law

Members shall comply with all applicable federal, provincial, and local laws in the performance of their public duties. These laws include, but are not limited to: the Constitution Act; the Provincial Human Rights Code; the Criminal Code, the Local Government Act; Community Charter; laws pertaining to financial disclosures, and employer responsibilities; and relevant Town bylaws and policies.

2. Conduct of Members

The conduct of members in the performance of their duties and responsibilities with the Town must be fair, open and honest. Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of Council, committees, the staff or the public.

3. Respect for Process

Members shall perform their duties in accordance with the policies and procedures and rules of order established by Council governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the Council by Town staff. Members of committees shall be aware of the mandate of their respective committee, and act in accordance with it.

4. Conduct of Public Meetings

Members shall prepare themselves for public meetings; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall not interrupt other speakers; make personal comments not germane to the business of the body; or otherwise disturb a meeting.

5. Decisions Bases on Merit

Members shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations.

They should refrain from making comments not germane to the business at hand or bring personal experiences into the discussions to substantiate a point of view.

6. Communication

Subject to paragraph 10, members shall publicly share substantive information that is relevant to a matter under consideration by the Council or a committee, which they may have received from sources outside of the public decision-making process.

7. Conflict of Interest

Members shall be aware of and act in accordance with Division 6 of the Community Charter, and Mayor and Council shall fulfill their Oath of Office.

8. Gifts and Favours

Members shall not accept any money, property, position or favour of any kind whether to be received at the present or in the future, from a person having, or seeking to have dealings with the Town in accordance with the provisions of Division 6 of the *Community Charter*.

9. Confidential Information

Members shall respect the confidentiality of information concerning the property, personnel or legal affairs of the Town. They shall neither disclose confidential information without proper authorization, nor use such information to advance their personal, financial or other

private interests. Privileged or confidential information should not be shared with others that may give rise to conflict of interest or cause harm to the Town.

10. Use of Public Resources

Members shall not use public resources not generally available to the public – such as staff time, equipment, supplies or facilities – for private gain or for personal purposes.

11. Advocacy

Members shall represent the official policies or positions of Council or committee to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, members shall explicitly state they do not represent Council, their committee or the Town of Lake Cowichan, nor will they allow the inference that they do.

12. Policy Role of Members

Members shall respect and adhere to the Council-Chief Administrative Officer structure of government as practiced in the Town of Lake Cowichan. In this structure, the Council determines the policies of the Town with the advise, information and analysis provided by the public, committees, and staff.

Members, therefore, shall not interfere with the administrative functions of the Town or with the professional duties of Town staff; nor shall they impair the ability of staff to implement Council policy decisions.

13. Positive Workplace Environment

Members shall treat other members, the public and staff with respect and shall be supportive of the personal dignity, self-esteem and well-being of those with whom they come in contact with during the course of their professional duties. Members shall be aware of and act in accordance with the Workplace Harassment Policy.

14. Implementation and Enforcement

The Town of Lake Cowichan Code of Ethics is intended to be self-enforcing. It, therefore, becomes most effective when members are thoroughly familiar with the Code and embrace its provisions. Council may impose sanctions on members whose conduct does not comply with the Town's ethical standards, such as motion of censure. Council may also rescind the appointment of a member to a committee for breaching the Code of Ethics.

To ensure procedural and administrative fairness, a member who is accused of violating any provision of the Code of Ethics with the exception of paragraph 14 shall have two weeks to prepare to respond to these allegations. Before considering a sanction, Council must ensure that a member has received a written copy of the case against him or her and an opportunity to be heard.

A violation of this Code of Ethics in a council or committee decision shall not be considered a basis for challenging the validity of a Council or committee decision.

COUNCIL MEMBER’S COVENANT

As a member of Town of Lake Cowichan Council or of a Town committee, I agree to uphold the Code of Ethics adopted by the Town and conduct myself by the following model of excellence:

- Recognize the diversity of backgrounds, interests and views in our community;
- Help create an atmosphere of open and responsive government;
- Conduct public affairs with integrity, in a fair, honest and open manner;
- Strive to keep the decision-making processes open, accessible, participatory, understandable, timely, just and fair;
- Not use public office to benefit me, or my friends, or family;
- Respect and uphold confidentiality requirements;
- Respect one another and the unique role and the contribution each has in making the Town a better place to work and live in;
- Not make disparaging remarks of the Town or express displeasure with decisions duly made;
- Avoid conduct which is contrary to the best interests of the Town; and
- Treat all people in the same manner as I wish to be treated.

Signature

Date

Name

Office Held

Name of Witness

Date

Signature of Witness