

## **POLICY**

**A-67**

### **CODE OF ETHICS POLICY**

#### **PREAMBLE**

The residents and businesses of the Columbia Shuswap Regional District are entitled to have a fair, honest and open local government that has earned the public's full confidence for integrity. In keeping with the Regional District values, the Regional District seeks to maintain and enhance the quality of life for all Regional District residents through responsible, fair, community-minded and sustainable government. To help achieve this goal, the Board of the Regional District has adopted a Code of Ethics applicable to members of the Board ("Members") and to all persons appointed by the Board to the Boards, committees, commissions, panels or task forces, whether they are members of the Board or not ("Appointees").

#### **PURPOSE**

The purposes of the Code of Ethics are to ensure that:

1. Public business is conducted with integrity, in a fair, honest and open manner;
2. Members and Appointees respect one another, the public and staff and recognize the unique role and contribution each person has in making the Regional District a better place to work and live;
3. The conduct of Members and Appointees in the performance of their duties and responsibilities with the Regional District is above reproach;
4. Decision making processes are accessible, participatory, understandable, timely and just;
5. Members and Appointees avoid any real or perceived conflict of interest; and
6. Members and Appointees respect and uphold confidentiality requirements.

#### **APPLICATION OF THE CODE OF ETHICS**

The Code of Ethics is applicable to all members of the Board ("Members") and to any person appointed by the Board to the Boards, committees, commissions, panels or task forces, whether they are members of the Board or not ("Appointees"). The bodies to which the Board can appoint Appointees are referred to collectively as "Committees" throughout this Code of Ethics.

#### **POLICY**

1. Act in the Public Interest

Recognizing that the Regional District seeks to maintain and enhance the quality of life for all Regional District residents through effective, responsive and responsible government, Members and Appointees shall conduct their business with integrity and in a fair, honest and open manner.

## 2. Comply with the Law

Members and Appointees 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: *Constitution Act, 1867, Criminal Code, Human Rights Code, Local Government Act, Community Charter*, all laws pertaining to financial disclosure and employer responsibilities, and relevant Regional District bylaws and policies.

## 3. Conduct of Members

The conduct of Members and Appointees in the performance of their duties and responsibilities with the Regional District shall be fair, open and honest. Members and Appointees shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of each other, Regional District officers and employees, or the public.

## 4. Compliance with Processes

4.1 Members and Appointees shall perform their duties in accordance with the policies, procedures and rules of order established by the Regional District Board which govern the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the Board by Regional District staff.

4.2 Appointees shall be aware of the mandate of their respective Committees and act in accordance with it.

## 5. Conduct of Public Meetings

(a) Members and Appointees 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 meeting, or otherwise disturb a meeting.

(b) The policy set out in paragraph 5(a) does not apply to a Member or Appointee in relation to their role as Chair of a Board or committee meeting or of a public hearing or public meeting, if the Chair considers it necessary to address improper conduct by a person, a breach of the procedure bylaw by a person, a breach of the rules read by the Chair at a public hearing or meeting, or other conduct where the Chair deems it necessary to maintain order.

## 6. Decisions Based on Merit

Members and Appointees shall base their decisions on the merits and substance of the matter at hand.

## 7. Gifts and Favours

7.1 Members shall not accept any gift, 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 Regional District, except as follows:

- where such a gift or favour is authorized by law;
- where such contributions are lawful campaign contributions; or
- subject to the *Community Charter*, where such gifts or favours are received as an incident of the protocol, social obligation or common business hospitality that accompany the duties and responsibilities of the member.

7.2 Members and Appointees may participate in Regional District programs open to the public and may purchase Regional District property or goods offered for public sale.

## 8. Communication

Subject to sections 9 and 10, Members and Appointees shall publicly share substantive information that is relevant to a matter under consideration by the Board or a Committee that they may have received from sources outside of the public decision making process.

## 9. Conflict of Interest

9.1 Members shall be aware of and act in accordance with Division 6 of the *Community Charter*, and shall fulfill part (c) of their *Oath of Office*. All Members shall be aware of and declare, in writing where necessary, any real or perceived conflicts of interest.

9.2 Where in the opinion of the Board or a Committee, a Member is in a conflict of interest and has not so declared, the body may ask for a review of the matter by the Corporate Officer. The matter, if unresolved, may then be referred to legal counsel or to the Board for review.

## 10. Confidential Information

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

## 11. Use of Public Resources

Members and Appointees shall not use public resources that are not available to the public in general, such as staff time, equipment, supplies or facilities, for private gain or personal purposes.

## 12. Advocacy

Members and Appointees shall represent the official policies or positions of the Regional District, the Board or Committee to the best of their abilities when designated as delegates for this purpose. When presenting their individual opinions and positions, Members and Appointees shall explicitly state they do not represent the Board, their committee or the Regional District, nor will they condone the inference that they do.

## 13. Policy Role of Members and Appointees

Members and Appointees shall respect and adhere to the structure of government as established in the Regional District. In this structure, the Board determines the policies of the Regional District with the advice, information and analysis provided by the public, Committees, and Regional District staff. Members and Appointees, therefore, shall not interfere with the administrative functions of the Regional District or with the professional duties of Regional District staff, nor shall they impair the ability of staff to implement the Board policy decisions.

## 14. Respectful Workplace Environment

Members and Appointees shall treat each other, the public, and Regional District 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 and Appointees shall be aware of and act in accordance with the Respectful Workplace and Anti-Harassment Policies.

## **IMPLEMENTATION OF THE CODE OF CONDUCT**

The Regional District Code of Ethics is intended to be self-enforcing. Members and Appointees should view the Code of Ethics as a set of guidelines that expresses the standards of conduct expected of them. Implementation is most effective when Members and Appointees are thoroughly familiar with the Code and embrace its provisions. For this reason, the Code of Ethics will be provided to candidates for the Board and applicants to Committees.

Members and Appointees will be requested to sign the Statement, attached as Appendix A, affirming they have read and understood the Regional District Code of Ethics. In addition, the Board and Committees shall annually review the Code of Ethics, and the Board shall consider recommendations from Committees and update the Code as necessary.

## **COMPLIANCE AND ENFORCEMENT**

The Regional District Code of Ethics expresses standards of ethical conduct expected for Members and Appointees of the Regional District the Board and Committees. Members and Appointees themselves have the primary responsibility to assure that these ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of the governance of the Regional District.

The Board may impose sanctions on Members and Appointees whose conduct does not comply with the Regional District's ethical standards. The Board may impose a motion of censure on a Member and may rescind the appointment of an Appointee to a Committee if he or she is found to have breached the Code of Ethics.

To ensure procedural and administrative fairness, a Member or Appointee who is accused of violating any provision of the Code of Ethics, with the exception of section 14 (to which the Complaint Resolution Policy applies), shall have a minimum of one week or the time between two consecutive meetings, whichever is greater, to prepare his or her case to respond to these allegations. Before considering a sanction, the Board must ensure that a member has:

1. received a written copy of the case against him or her;
2. a minimum of one week or the time between two consecutive meetings, whichever is greater, to prepare a defence against any allegations; and
3. a fair opportunity to be heard.

#### **VIOLATION NOT CAUSE TO CHALLENGE A DECISION**

A violation of this Code of Ethics shall not be considered a basis for challenging the validity of the Board or a Committee decision.

AUGUST 18, 2016

## **APPENDIX A: MEMBER STATEMENT**

As a Member of the Columbia Shuswap Regional District or an Appointee of a Regional District Committee, I agree to uphold the Code of Ethics adopted by the Regional District and conduct myself by the following model of excellence. I will:

- 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;
- respect one another and the unique role and contribution each of us has in making the Regional District a better place to work and live;
- strive to keep the decision making processes open, accessible, participatory, understandable, timely, just and fair;
- avoid and discourage conduct which is not in the best interests of the Regional District;
- avoid any real or perceived conflict of interest and declare at the earliest opportunity, in writing, any interest that is or may be in conflict with the business of the body of the Regional District in which I am participating;
- respect and uphold confidentiality requirements; and
- treat all people with whom I come in contact in the way I wish to be treated.

*I affirm that I have read and understood the Regional District Code of Ethics.*

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Name (please print):

Office / Committee:

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