

## RESPONSIBLE CONDUCT OF LOCAL GOVERNMENT ELECTED OFFICIALS

### Sample Codes of Conduct – Comparative Analysis

**Highlighted Sections** are examples of other provisions that might be considered for inclusion in the *FVRD Code of Responsible Conduct for Elected Officials*  
[not-exhaustive, rather representative themes of what other provisions could also be considered for inclusion or elaboration]

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<p>Bylaw speaks largely to procedural matters as required under the <i>Community Charter [CC]</i></p> <p>Bylaw also addresses how Council members will comport themselves during a Council Meeting:</p> <p>-addressing the Chair and other Council Members</p> <p>-no interrupting a Council member who has the floor except to raise a point of order</p> <p>-calling a Council Member out of order</p>	<p>Policy builds upon provisions in the <i>Local Government Act</i> and CC with respect to ethical standards for elected officials.</p> <p>Establishes additional ethical standards for elected officials to ensure that Board Members aspire to the highest standards of public service integrity:</p> <p>✓ Conduct and decorum at meetings in keeping with Board's Procedural Bylaw</p> <p>✓ Expectation</p>	<p><b>Purpose Statement</b></p> <p><b>Primary Focus Statement</b> [no bias or preference to be shown to individuals or groups] – focus on serving the community as a whole</p> <p><b>Relationships between Council Members and Staff based upon respect</b></p> <p><b>Fair Treatment for those presenting to Council</b></p> <p><b>Role of the Meeting Chair in holding Council Members to account for inappropriate behavior</b></p>	<p><b>Preamble</b></p> <p>✓ Reflects Board's Mission Statement and Corporate Values</p> <p>✓ Sets out and defines values and principles</p> <p>✓ Promotes respectful workplace</p> <p>✓ Holds Board Members out to highest ethical standards which is above reproach</p>	<p><b>Commitment Statement</b> whereby the Board commits to performing their duties in accordance with the Code of Conduct</p> <p><b>Key Values set out</b></p> <ul style="list-style-type: none"> <li>✓ Integrity</li> <li>✓ Accountability</li> <li>✓ Leadership</li> <li>✓ Responsibility</li> <li>✓ Respect</li> <li>✓ Openness</li> </ul> <p><b>Detailed expectations around General Conduct</b></p> <p>Conduct at Meetings</p>	<p><b>Policy Statement</b> tying Code of Ethics to Regional District's Principles and Core Values</p> <p>Purpose statement which sets out that Code of Ethics is to outline standards of conduct for all Regional District representatives</p> <p>Responsibilities and expectations around conduct of Board Members outlined</p> <p>Procedures section set out expectations around:</p> <p>✓ Acting in the public interest</p> <p>✓ Complying with</p>	<p><b>Policy Statement</b> which speaks to Council's framework for establishing positive working relationships based upon the core values of trust, respect and integrity</p> <p><b>Leadership by Council as a collective and collaborative decision making body</b></p> <p>Creating and Maintaining a creative and results-oriented environment – sets out how this goal will be achieved ["Act with</p>	<p>This very short document generally speaks to what Board Members can expect of each other in terms of responsible conduct</p>	<p><b>Purpose Statement</b> which states that the Code sets our minimum expectations for the behavior of Council in carrying out their functions</p> <p><b>Code of Conduct</b> applies to the use of social media by Council Members</p> <p>Sets out Key Principles and how these are demonstrated</p> <p>✓ Integrity ✓ Accountability ✓ Leadership ✓ Respect ✓ Openness</p> <p><b>General Conduct –</b> sets out that conduct</p>	<p><b>Policy Statement</b> provides that Council and Staff require clear understanding of respective roles and responsibilities as well as a comprehensive framework guiding their interactions with each other</p> <p>Purpose Statement articulates objectives of policy</p> <p><b>Scope of the Policy</b> speaks to who the policy applies to [all staff and Council]</p> <p><b>Governance Framework and Roles and Responsibilities</b> sections speaks to roles and</p>	<p>This document is specific to conduct for Committee Members</p> <p>Sets out how Committee Members will conduct themselves and speaks to responsible conduct and provides examples</p> <p><b>Sets out that Council members are entitled to express their opinions regarding matters before Committee or Council as long as such comments clearly state that they are putting forward their personal views and not the views of Council – inappropriate to make derogatory</b></p>

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<p>-requirement to adhere to rules of procedure and decisions of Chair and Council with respect to procedural rules and points of order</p> <p>-ability of the Chair to order a Council Member to leave their seat for failure to adhere to procedural rules</p> <p>-expulsion of a Council Member from the meeting for failure to leave the meeting when ordered to do so by the Chair; Chair may cause Council Member to be removed by peace officer</p> <p>-allowance for Council Member to apologize to Council for failure to abide by procedural rules; and gives Council discretion to allow expelled Council Member to retake</p>	<p>that Board members are respectful and courteous to delegations, fellow Board Members and staff</p> <p>✓ Expectation that Board Members are not distracted from the business of Regional District Board meetings curing presentations and when other Board Members have the floor</p> <p>✓ No use of Regional District facilities, service or property for campaign purposes</p>	<p>Council acts as a collective body and individual Councilors are not allowed to guide or influence members of the administration</p> <p>Tasking staff and directing requests for information through the CAO unless otherwise delegated to another staff member</p> <p>Conflict of Interest</p> <p>Council Spokesperson</p> <p>Making Public Statements and Statements to the Media</p> <p>Acceptance of Gifts</p> <p>Bribery</p> <p>Family Bias</p> <p>Treatment of</p>	<p>Public Interest and needs of citizens is Board’s primary interest</p> <p>Compliance with Law</p> <p>Conduct of Directors – provides examples of what type of conduct is unacceptable</p> <p>Respect for Process</p> <p>Meeting decorum</p> <p>✓ Coming prepared</p> <p>✓ Focused on the business at hand</p> <p>✓ Cell phones or devices turned off or on silent</p> <p>✓ Diligent participation in Board</p>	<p>Communication and Media Relations</p> <p>Conflict of Interest and examples</p> <p>Gifts and Personal Benefits and what may and may not be accepted; how they are to be reported; and how relinquished are to be managed and disposed of</p> <p>Board and Staff Relations and Requests for information by Board Members [Protocols]</p> <p>Use of Public Resources</p> <p>Advocacy by Board Members where views not representative of the Board</p> <p>No Reprisals or retaliation against other Board Members or staff</p>	<p>law</p> <p>✓ Conduct of Members</p> <p>✓ Respect for Process</p> <p>✓ Conduct at Public Meetings</p> <p>✓ Decisions based on merit</p> <p>✓ Communication</p> <p>✓ Conflict of Interest</p> <p>✓ Gifts/Favours</p> <p>✓ Confidential Information</p> <p>✓ Use of Public Resources</p>	<p>Courage” segment speaks to some elements of responsible conduct]</p> <p>Responding to the expectations and demands of the Community and how this goal will be achieved [this segment speaks to some elements with regard to responsible conduct]</p> <p>Articulates Council’s core values and principles and how they are demonstrated through responsible conduct</p>	<p>must be in accordance with key principles and that behaviors must be in accordance with law</p> <p>✓ LGA/CC</p> <p>✓ Human Rights Code</p> <p>✓ Bylaws</p> <p>Collection and Handling of Information</p> <p>✓ Speaks to the duty to protect confidential information and the protection of privacy and personal information and compliance with FIPPA</p> <p>Conflict of Interest</p> <p>Interactions between Council Members and Staff and Advisory Body Members</p> <p>Use of Social Media by Council Officials</p>	<p>responsibilities of Mayor, Council and the CAO</p> <p>General Protocol Section states that Council and Staff will treat each other with respect and integrity [not defined]</p> <p>General Protocol Section speaks to how performance issues will be treated</p> <p>Communications Protocol Section speaks generally to how information should flow between Council and staff</p> <p>Organization Tools section identifies tools available to contribute to a successful working relationship between Council and Staff none of which speak to directly to responsible conduct</p>	<p>comments about any other person in this context</p> <p>Sets out a very general procedure for how to treat a complaint about a Council Member’s conduct</p> <p>Sanctions – provides that Council has the authority to remove a member appointment to a Committee where there has been a contravention of the Code of Conduct</p> <p>High level statement around inspiring public trust and confidence in local government</p>	

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<p>their seat</p> <p>-prohibition against engaging in bullying or harassing behavior [by anyone] towards another Council Member, Government Official or City employee, including, but not limited to specific behaviours:</p> <ul style="list-style-type: none"> <li>✓ expressing a negative opinion about a person or the character of a person</li> <li>✓ speaking disrespectfully</li> <li>✓ speaking or acting aggressively</li> <li>✓ using offensive gestures or signs</li> <li>✓ questioning motives of City officials</li> </ul>	<ul style="list-style-type: none"> <li>✓ No use of Regional District staff for campaign purposes during hours in which an employee is in the paid employment of the Regional District</li> </ul> <p>Conduct respecting elected and staff relations</p> <p>Conduct while representing the Regional District</p> <p>Confidentiality of Information</p> <ul style="list-style-type: none"> <li>✓ Speaks to when information may be disclosed and when it must be protected from disclosure</li> </ul>	<p>Others and Accountability of all Council Members to ensure all persons are treated fairly</p> <p>Confidentiality</p> <ul style="list-style-type: none"> <li>✓ Clearly sets out that confidential matters not to be disclosed until such time as Council passes a resolution bringing the matter into the public domain</li> </ul> <p>Partisan Politics</p> <ul style="list-style-type: none"> <li>✓ Entitlement to run or provincial or federal office</li> <li>✓ Disallows Council members to allow party affiliation or duties with duties as a Council</li> </ul>	<p>activities</p> <ul style="list-style-type: none"> <li>✓ Respectful treatment at meetings</li> </ul> <p>Decision making based on merit and consideration of relevant information</p> <p>Respect for Board's decisions even if in disagreement – communications in this regard</p> <p>Conflict of Interest</p> <p>Gifts, Meals and Favours as an incident of protocol, social obligation, business hospitality only in the course of duties and responsibilities</p> <p>Improper Use of Influence</p>	<p>No Obstruction during investigation</p> <p>No specific compliance or enforcement provisions other than a broad statement of accountability for understanding and abiding by the Code of Conduct – Implementation intending to be self-policing</p>	<ul style="list-style-type: none"> <li>✓ Advocacy</li> <li>✓ Role of Board Members as Policy Makers as distinguished from administrative role of staff</li> <li>✓ Maintaining a positive work place environment through respectful conduct</li> </ul> <p>Implementation and sign-off</p> <p>Compliance and Enforcement</p> <ul style="list-style-type: none"> <li>✓ Sanctions may be imposed on Board Members whose conduct does not comply with the Code of Ethics + assurances of procedural due process</li> </ul>			<p>Public and Media Interactions [Communications]</p> <p>Gifts and Personal Benefits [defined, what may and may not be accepted and how they are to be reported and procedure for dealing with relinquished gifts]</p> <p>Enforcement – Breaches, Complaint Handling and Disciplinary Action</p> <ul style="list-style-type: none"> <li>✓ Sets out procedures</li> <li>✓ Third Party Investigation</li> <li>✓ Legal Costs incurred and recovery of costs</li> </ul>		

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<ul style="list-style-type: none"> <li>✓ using rude or offensive language or conduct</li> <li>✓ disrupting or delaying Council proceedings</li> <li>✓ speaking into electronic communication devices during Council proceedings except in exigent circumstances</li> </ul> <p>Expulsion from Council Meetings – schedule to the Bylaw which mirrors S. 133 of the CC</p> <ul style="list-style-type: none"> <li>✓ Chair may expel a person from a Council Meeting for acting improperly</li> <li>✓ Peace Officer may enforce the Chair’s order to</li> </ul>		<p>member</p> <ul style="list-style-type: none"> <li>✓ Disallows Council Members to engage in other political activities at City Hall</li> <li>✓ Disallows Councilors to use their office to comment on other politicians</li> </ul> <p>Adherence to Code of Conduct, Charter, LGA and Procedures</p>	<ul style="list-style-type: none"> <li>✓ Respect for the Procurement Process</li> </ul> <p>Treatment of Confidential Information</p> <p>Access to Information</p> <ul style="list-style-type: none"> <li>✓ Distinguishes information available to Directors as a Board Member from information that should be requested formally through an FOI Request</li> <li>✓ Sets out protocol for informal requests for information [through the CAO and not line staff] unless the request is strictly a technical</li> </ul>							

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expel a person  ✓ Also allows individual expelled to offer an apology to Council but gives Chair authority to order the person expelled if apology inadequate  ✓ Provides that Council may adopt a resolution authorizing legal counsel to pursue legal remedies against a person who repeatedly contravenes the General Rules of Conduct set out in the bylaw			clarification  Use of Public Resources  Advocacy of Personal Opinions that are not representative of the Board  Election Campaign Work  ✓ Disallows the undertaking of campaign related activities on regional district property and the use of regional district resources  Roles of Board and Staff  ✓ Distinguishes the Board's role in terms of setting policy from staff's role in							

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			administering and implementing Board policy  ✓ Tasking staff  ✓ No interference with staff's administrative duties – concerns to be raised with the CAO  Positive and supportive Workplace free from harassment, bullying or discrimination  Staff Relations  ✓ Recognition that staff are professionals and that Board Member should have an expectation that staff will provide							

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			professional and objective advice  ✓ Board members refrained from criticizing staff in public or in any manner that casts staff in a false light or which impacts their professional credibility  No reprisals or retaliation or threats thereof against Board Members or staff  Violation of the Code of Conduct to obstruct an investigation into a matter  Implementation of the Code of Conduct  ✓ Sign off required by Board							

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			<p>Members</p> <p>Enforcement and Compliance</p> <p>✓ Complaint Procedures fully detailed</p> <p>✓ Sanctions set out</p> <p>✓ Violation of the Code is not considered as a basis for challenging the validity of a Board decision</p>							