



# FRASER VALLEY REGIONAL DISTRICT POLICY

**POLICY:** **Code of Responsible Conduct**

**Date Issued:** *Draft - September 18<sup>th</sup>, 2018*

**Date Amended:**

## **PURPOSE AND INTENT**

A Code of Responsible Conduct is a written document developed for the purpose of promoting responsible and ethical conduct of local government officials and their representatives.

A Code of Responsible Conduct establishes shared standards and expectations with respect to the conduct, comportment, decorum and behavior of individual elected officials, the collective governing body and its representatives.

## **POLICY AND PROCEDURE**

### **1. Framework:**

- 1.1 Regional Districts are recognized under the *Local Government Act* of British Columbia as an independent, responsible and accountable order of government within their jurisdiction for the purpose of:
  - providing good government for its community;
  - providing the services and other things that the board considers are necessary or desirable for all or part of its community;
  - providing for stewardship of the public assets of its community, and
  - fostering the current and future economic, social and environmental well-being of its community.
- 1.2 Regional District Board Members, Alternate Directors, Committee Members and Board Appointees have the legislated authority to make decisions that affect the daily lives of citizens, families, businesses and other community stakeholders.
- 1.3 Regional District Board Members, Alternate Directors, Committee Members and Board Appointees also have the authority to establish, or help establish, the long-term vision for the communities they serve based upon community and citizen engagement, collaboration and informed decision making.
- 1.4 Responsible conduct refers to how Regional District Board Members, Alternate Directors, Committee Members and Board Appointees conduct and comport themselves, individually and collectively, through their interactions with elected colleagues, staff, citizens, other local government stakeholders, the media, and through social media in the exercise of their authority.
- 1.5 Responsible conduct is founded on 4 key foundational principles:

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- **Integrity**
- **Respect**
- **Accountability**
- **Leadership and Collaboration**

- 1.6 Regional District Board Members, Alternate Directors, Committee Members and Board Appointees have a duty to act and comport themselves in accordance with the law, including but not limited to the common law, the *Local Government Act*, *Community Charter*, *Workers' Compensation Act*, *Freedom of Information and Protection of Privacy Act*, and *Human Rights Code* of British Columbia, and applicable federal legislation.

### 2. **Commitment to Responsible Conduct:**

- 2.1 The Fraser Valley Regional District Board of Directors recognizes that responsible conduct is essential to providing good governance.
- 2.2 The Fraser Valley Regional District Board of Directors acknowledges that responsible conduct is based upon four foundational principles: **Integrity, Respect, Accountability, and Leadership and Collaboration** to which the Fraser Valley Regional District Board individually and collectively subscribes.
- 2.3 Fraser Valley Regional District Board Members, Alternate Directors, Committee Members and Board Appointees expressly acknowledge that they are individually and collectively committed to conducting themselves in a responsible and ethical manner, and are furthermore committed to upholding the law.
- 2.4 As set out in this *Code of Responsible Conduct*, Fraser Valley Regional District Board Members, Alternate Directors, Committee Members and Board Appointees expressly commit to holding themselves up to the highest ethical standards, individually and as a collective governing body, as they exercise their authority, fulfill their obligations, discharge their duties, and in all of their dealings, with every person, including their elected colleagues, staff, citizens, the media and other local government stakeholders.

### 3. **Application and Interpretation:**

- 3.1 This *Code of Responsible Conduct* applies to every elected official on the Fraser Valley Regional District Board of Directors, Alternate Directors, Committee Members and Board Appointees.
- 3.2 It is the express responsibility and obligation of each Fraser Valley Regional District Board Member, Alternate Director, Committee Member or Board Appointee to uphold both the letter and spirit of this *Code of Responsible Conduct* in their dealings with each other, staff, citizens, the media and other local government stakeholders.
- 3.3 This *Code of Responsible Conduct* is intended to be interpreted and applied in a manner that is consistent with the common law, all applicable Federal and Provincial Laws, as well as the bylaws and policies of the Fraser Valley Regional District, along with any other legal obligations which apply to Fraser Valley Regional District Board Members, Alternate Directors, Committee Members and Board Appointees, individually and as a collective governing body.

### 4. **Foundational Principles of Responsible Conduct:**

- 4.1 It is expressly acknowledged that the foundational principles of responsible conduct, as defined below, are intended to provide Fraser Valley Regional District Board Members, Alternate Directors, Committee Members and Board Appointees with a shared understanding of what responsible conduct is.
- 4.2 It is furthermore expressly acknowledged that these foundational principles, as purposefully defined below, will set out expectations around how Fraser Valley Regional District Board Members, Alternate Directors, Committee Members and Board Appointees, both individually and collectively, will conduct and comport themselves as representatives of the Fraser Valley Regional District.

#### ***Integrity***

Integrity is conduct and behavior that upholds the public interest and promotes public confidence in local government. Integrity is based on honesty and the active demonstration of the highest ethical standards in all dealings.

#### ***Respect***

Respect is conduct and behavior that creates an environment of trust by demonstrating due regard, deference and consideration for the perspectives, wishes, beliefs, traditions, values and rights of others.

#### ***Accountability***

Accountability is conduct and behavior that demonstrates the willingness to accept responsibility for one's conduct, behaviours, actions and decisions.

#### ***Leadership and Collaboration***

Leadership and Collaboration is conduct and behavior that demonstrates the ability to lead, guide, actively listen, mobilize and positively influence others, while encouraging people to come together to meet around a common goal or objective, or to resolve conflict through collective means and efforts.

### 5. **Standards of Responsible Conduct:**

- 5.1 The Fraser Valley Regional District Board of Directors expects that all Fraser Valley Regional District Board Members, Alternate Directors, Committee Members and Board Appointees will demonstrate and abide by the standards of responsible conduct set out below and as reflected in the stated foundational principles of responsible conduct set out in Section 5.

**INTEGRITY** is demonstrated by the following conduct and behavior and Fraser Valley Regional District Board Members, Alternate Directors, Committee Members and Board Appointees will:

- be truthful, honest, and open in all matters and in all dealings with their elected colleagues, staff, citizens, other local government stakeholders, the media, and through social media in their role as a representative of the Fraser Valley Regional District
- ensure that their actions are consistent with the shared principles and values collectively agreed to by the Fraser Valley Regional District Board of Directors

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- follow through on their commitments in a timely manner
- correct errors in a timely, transparent and reasonable manner
- engage in respectful communication, dialogue and debate in all matters and in all dealings at all times
- make informed and well-reasoned decisions by directing their minds to the merits of the matter before them for consideration, ensuring that they act on the basis of relevant information, legal implications, and in consideration of the consequences of their decisions
- conduct and comport themselves in a manner that promotes and inspires public confidence and trust in local government and in all of their dealings as a local government official or representative
- conduct and comport themselves in a manner which avoids any perception of conflict of interest, improper use of office, or other unethical or illegal conduct
- conduct and comport themselves in a manner which upholds the public interest by diligently serving citizens and communities within their sphere of influence in a manner which best serves the communities' interest and not their own, or the interests of a select few
- conduct and comport themselves in a manner that is consistent, fair, non-prejudicial, non-discriminatory and unbiased in all their dealings as a local government official or representative

**RESPECT** is demonstrated by the following conduct and behavior and Fraser Valley Regional District Board Members, Alternate Directors, Committee Members and Board Appointees will:

- treat every person with dignity, understanding, courtesy, politeness, civility and respect irrespective of differences of opinion, perspectives, beliefs, traditions or values
- respect the role of the Chair or Presiding Official and will conduct and comport themselves accordingly during meetings, and will furthermore abide by the rules of procedure adopted by the Fraser Valley Regional District Board of Directors
- respect the distinct roles and responsibilities of local government staff and are committed to fostering a positive working relationship between the Board, staff, citizens, and other local government stakeholders
- call for, and expect that respect be shown to elected officials, staff, and members of the public by other citizens, community members and other local government stakeholders
- value the role of diverse perspectives and will show due consideration for every person's contributions by listening actively and respectfully to another person's perspective or point of view during discussion, debate, collaboration and decision making
- will demonstrate awareness of their own conduct and behavior, and manage and adjust their conduct and behavior accordingly and as circumstances warrant
- create an environment of trust and will consider and be sensitive to how their words, language, conduct and behavior can be perceived by others as offensive, rude, derogatory, disrespectful, discriminatory, aggressive, combative, insulting, inflammatory or otherwise hurtful or inappropriate

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- not engage in conduct or behaviors that are deemed to be indecent, obscene, insulting, abusive or otherwise unbefitting to a local government elected official or representative. This conduct or behavior includes, but is not limited to, unwanted physical or sexual contact or comments, and/or any form of aggressive or threatening conduct or behavior that may cause harm to any person, or which makes a person feel threatened or intimidated

**ACCOUNTABILITY** is demonstrated by the following conduct and behavior and Fraser Valley Regional District Board Members, Alternate Directors, Committee Members and Board Appointees will:

- be responsible for, and will accept responsibility for decisions they make as an elected official or representative of the Fraser Valley Regional District
- be accountable for their individual actions, and for the actions of the collective governing body
- actively listen to and consider the opinions, viewpoints and needs of the community in all decision-making, and will allow for meaningful and appropriate opportunities for citizen and community input, engagement, discourse and feedback
- carry out their business, duties and responsibilities in an open and transparent manner ensuring that the public understands the process and rationale used to reach informed decisions and the reasons and justifications for taking certain actions
- ensure that information is accessible to the extent possible under law, while also protecting privacy and confidentiality where appropriate, necessary or in accordance with the *Freedom of Information and Protection of Privacy Act* of British Columbia, and the confidentiality provisions of the *Local Government Act* and *Community Charter* of British Columbia.

**LEADERSHIP AND COLLABORATION** is demonstrated by the following conduct and behavior and Fraser Valley Regional District Board Members, Alternate Directors, Committee Members and Board Appointees will:

- proactively and routinely monitor and measure their performance in order to ensure that the foundational principles with respect to responsible conduct are being followed by all Fraser Valley Regional District Board Members, Alternate Directors, Committee Members and Board Appointees and the collective governing body
- behave in a manner that instills and builds public trust and confidence in local government
- recognize that vigorous discourse and debate on a matter is integral to the democratic process and will encourage healthy, respectful and constructive debate prior to taking a decision with respect to a matter
- consider the issues before them and will make decisions as a collective governing body
- actively participate in debate about the merits of the matter before them, and will accept, respect and uphold the decision of the majority as part of the democratic process
- as leaders of their communities, face challenges, obstacles, controversy and adversity calmly, respectfully, diplomatically, and with due consideration while endeavoring to find effective and appropriate solutions and provide direction to staff, and will furthermore empower each other, and staff to face challenges, obstacles, controversy and adversity in the same manner.
- recognize and value the distinct roles and responsibilities that others play in providing good governance and will commit to fostering a positive working relationship between Fraser Valley Regional District Board Members, Alternate Directors, Committee Members and Board Appointees, citizens, the media and other local government stakeholders

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- refrain from publicly criticizing a member of staff
  - recognize and respect the importance of the role of the Chair or Presiding Official at a meeting, and will treat that person with respect and deference at all times
- 5.2 Fraser Valley Regional District Board Members, Alternate Directors, Committee Members and Board Appointees expressly acknowledge that they will not engage in conduct set out in Schedule 1 hereto.

### 6. **Acknowledgement and Sign Off:**

Fraser Valley Regional District Board Members, Alternate Directors, Committee Members and Board Appointees will be required to demonstrate their commitment to responsible and ethical conduct by signing an Oath of Office, set out as Schedule 2 hereto, which incorporates this *Fraser Valley Regional District Code of Responsible Conduct*.

**Schedule 1**

**IRRESPONSIBLE CONDUCT**

TIER 1 CONDUCT	TIER 2 CONDUCT	TIER 3 CONDUCT
<p><b>Meeting Conduct, Rules of Order and Procedural Matters</b></p> <ul style="list-style-type: none"> <li>✓ Failing to abide by the <i>FVRD Board and Committee Procedures Bylaw</i></li> <li>✓ Failing to respect the role of the Chair or Presiding Official at meetings</li> <li>✓ Failing to respect due process and procedural fairness</li> <li>✓ Unfair or disrespectful treatment of persons or delegations appearing before the Board/Committee</li> <li>✓ Disrespectful or disruptive behavior during a meeting which results in being called out of order by the Chair or Presiding Official</li> <li>✓ Expulsion from a meeting</li> <li>✓ Behavior which undermines the free exchange of ideas and which stifles or inhibits healthy debate</li> </ul>	<p><b>Integrity</b></p> <ul style="list-style-type: none"> <li>✓ 2<sup>nd</sup> occurrence - Tier 1 Conduct</li> <li>✓ Abuse of authority or trust</li> <li>✓ Failing to act in the public interest</li> <li>✓ Showing favoritism, bias or nepotism towards any person, vendor, contractor, business, family member or to others doing business with the FVRD</li> <li>✓ Dishonesty</li> <li>✓ Lying</li> <li>✓ Obstructing an investigation into a matter</li> <li>✓ Obstructing staff from undertaking their duties</li> </ul> <p><b>Damaging the FVRD's reputation</b></p>	<p><b>Integrity</b></p> <ul style="list-style-type: none"> <li>✓ 3<sup>rd</sup> occurrence - Tier 1 Conduct</li> <li>✓ 2<sup>nd</sup> occurrence - Tier 2 Conduct</li> </ul> <p><b>Serious Allegations of Misconduct</b></p> <ul style="list-style-type: none"> <li>✓ Harassment</li> <li>✓ Sexual Harassment</li> <li>✓ Discrimination</li> <li>✓ Bullying</li> <li>✓ Intimidation</li> <li>✓ Coercion</li> <li>✓ Extortion</li> <li>✓ Uttering Threats</li> <li>✓ Assault</li> <li>✓ Accepting a bribe</li> </ul>

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<ul style="list-style-type: none"> <li>✓ Disrespecting the viewpoints of others during discussion on a matter</li> <li>✓ Failing to keep an open mind during debate on a matter</li> </ul> <p><b>Communication, Interpersonal Relations, Board and Staff Relations</b></p> <ul style="list-style-type: none"> <li>✓ Use of disrespectful, derogatory, demeaning, defamatory, discriminatory, intolerant or offensive language at any time, and on any communication platform, including social media, as a representative of the FVRD</li> <li>✓ Failing to treat any person with respect, courtesy, tolerance, acceptance, and/or dignity</li> <li>✓ Disrespecting the role of the Chief Administrative Officer, Senior Staff, Staff, and/or FVRD Consultants</li> <li>✓ Failing to respect the various roles that others play which are inherent to informed local government decision making</li> <li>✓ Publicly criticizing or chastising a fellow Board Member, FVRD staff</li> </ul>	<ul style="list-style-type: none"> <li>✓ Damaging the reputation and/or credibility of the FVRD by words, actions and/or irresponsible conduct</li> <li>✓ Acting in an official capacity while intoxicated resulting in irresponsible conduct</li> </ul> <p><b>Confidentiality and Data Security</b></p> <ul style="list-style-type: none"> <li>✓ Intentionally accessing unauthorized information, records or data on FVRD devices</li> <li>✓ Unauthorized disclosure of confidential or personal information to a third party</li> <li>✓ Intentionally breaching the FVRD's network and data security systems</li> <li>✓ Intentionally leaking confidential information to the media or other local government stakeholders</li> </ul>	<ul style="list-style-type: none"> <li>✓ Fraud</li> <li>✓ Theft of FVRD resources and/or assets</li> <li>✓ <i>Criminal Code</i> of Canada conviction while in office</li> </ul> <p><b>Retaliation</b></p> <ul style="list-style-type: none"> <li>✓ Retaliation or retribution towards any person who in good faith has reported a suspected contravention of the <i>FVRD Code of Responsible Conduct for Elected Officials</i></li> <li>✓ Retaliation or retribution towards any person who in good faith has reported a suspected contravention of the <i>FVRD Discrimination, Bullying and Harassment Prevention Policy</i></li> <li>✓ Retaliation or retribution towards any person who in good faith has reported a suspected contravention of the <i>Criminal Code</i> of Canada or other federal, provincial or local government statute, regulation, or enactment.</li> </ul> <p><b>Conflict of Interest</b></p>
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<p>member, and/or FVRD Consultant</p> <ul style="list-style-type: none"> <li>✓ Interfering with the administrative, corporate or operational functions of the FVRD</li> <li>✓ Failing to observe established protocols with respect to tasking or otherwise directing staff</li> </ul> <p><b>Interference with Designated Decision Makers and/or Processes</b></p> <ul style="list-style-type: none"> <li>✓ Interfering with, and/or failing to respect the role and authority of statutory and/or other designated decision makers: <ul style="list-style-type: none"> <li>○ Officer Responsible for Corporate Administration</li> <li>○ Officer responsible for Financial Administration</li> <li>○ Head, Freedom of Information and Protection of Privacy</li> <li>○ Chief Election Officer</li> <li>○ Building Officials</li> <li>○ Bylaw Enforcement Officers</li> </ul> </li> </ul>		<p>Failure to abide by Conflict of Interest Rules in the <i>Community Charter and Local Government Act</i>:</p> <ul style="list-style-type: none"> <li>-failure to disclose conflict of interest</li> <li>-participation in meetings where in conflict of interest</li> <li>-use of office to influence a decision, recommendation or other action where an elected official has a direct or indirect pecuniary interest</li> <li>-accepting unauthorized gifts</li> <li>-failure to disclose authorized gifts</li> <li>-failure to disclose and report contracts entered into by the elected official or former elected official with the FVRD where the elected official or former elected official has a direct or indirect pecuniary interest</li> </ul>
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<ul style="list-style-type: none"><li>○ Provincial Approving Officer</li><li>○ Others in statutory and/or designated decision making roles</li></ul> <ul style="list-style-type: none"><li>✓ Failing to abide by the <i>FVRD Purchasing and Procurement Policy</i></li></ul> <p><b>Partisan Politics and Campaigning</b></p> <ul style="list-style-type: none"><li>✓ Engaging in partisan politics while undertaking FVRD business</li><li>✓ Use of FVRD resources for campaign purposes</li></ul> <p><b>Unauthorized Conduct – General Prohibitions</b></p> <ul style="list-style-type: none"><li>✓ Providing instruction to FVRD contractors, consultants or other service providers</li><li>✓ Speaking on behalf of the FVRD Board when not authorized to do so</li><li>✓ Failing to uphold a decision, bylaw or policy of the FVRD Board</li><li>✓ Unauthorized use of FVRD staff and/or other FVRD resources and assets</li></ul>		
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✓ Unauthorized expenditure of FVRD funds		
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**Schedule 2**

**OATH OF OFFICE**

I, \_\_\_\_\_ do [solemnly swear] [affirm] that:

1. I am qualified to hold the office of Director, or Alternate Director of the Fraser Valley Regional District to which I have been elected or appointed;
2. That I have not, by myself or any other person, knowingly contravened the *Local Government Act* or the *Community Charter* of British Columbia respecting vote buying or intimidation in relation to my election to the office;
3. I will faithfully perform the duties of my office, and will not allow any private interest to influence my conduct in public matters;
4. As required by the *Local Government Act* and the *Community Charter* of British Columbia, I will disclose any direct or indirect pecuniary interest I have in a matter and will not participate in the discussion of the matter and will not vote in respect of the matter;
5. I will abide by the statutes, bylaws and policies that govern the Regional District and will promote openness, accountability, and responsible leadership; and
6. I will abide by and uphold the *Fraser Valley Regional District Code of Responsible Conduct*.