

Council Code of Conduct

Date of Approval by Council: 04/26/2011; 10/07/2014**Resolution No.:** 262/2011; 367/2014**Lead Role:** Council**Replaces:** N/A**Last Review Date:** October 7, 2014**Next Review Date:** 10/2017**Administrative Responsibility:** N/A

Policy Statement

The residents of Strathcona County are entitled to have fair, ethical and accountable local government and to expect the highest standards of conduct from the members that it elects to Council. Such a government requires that public officials comply with both the letter and the spirit of the laws and policies affecting operations of the government; be independent, impartial and fair in their judgment and actions; use their public office for the public good and not for personal gain; and conduct public deliberations and processes openly, unless legally confidential, in an atmosphere of respect and civility.

Improving the quality of public administration and governance can be achieved by encouraging high standards of conduct on the part of all government officials. The Council of Strathcona County commits itself and its members to conduct that meets the highest ethical standards. In turn, adherence to these standards will protect and maintain Strathcona County's reputation and integrity.

Definitions

"Administration" means the employees of Strathcona County.

"Chief Commissioner" is the administrative head of Strathcona County as appointed by Council responsible to perform those responsibilities contained within the Municipal Government Act and pursuant to Bylaw 2-95: The Chief Commissioner Bylaw.

"Confidential Information" includes but is not limited to information:

- (a) in the possession of the County that the County is either prohibited from disclosing, is required to refuse to disclose or exercises its discretion to refuse to disclose under the FOIP Act or other legislation; and
- (b) concerning matters that are permitted to be discussed in an in-camera meeting pursuant to the Municipal Government Act.

"Council" means the Council of Strathcona County.

"Councillor" is a member of Council and includes the Mayor.

"County" means Strathcona County.

"County Property" includes County staff time, financial and non-financial assets (including, but not limited to, land, vehicles, equipment, material, paper or electronic documents, tools, electronic equipment, computers, internet services and intellectual property).

"Gift" means any real or personal property given, including but not limited to artwork, clothing, money, gift certificates or gift cards, unless payment in any form, including the exchange of goods and services, of equal or greater value is received by the individual or entity giving the gift but does not include

- (a) such Gifts or benefits that normally accompany the duties of office and are received as an incident of protocol or social obligation;
- (b) suitable mementos of a function honouring the Councillor;
- (c) admission to an event such as a convention, conference, symposium, forum or similar event, offered by the organizer of the event and unsolicited by the Councillor, if the Councillor is attending or participating in their official capacity; and

provided that the value of the Gift or benefit does not exceed \$500.00.

"Mayor" is the chief elected official of Strathcona County.

"Pecuniary Interest" is an interest in a matter that could monetarily affect a Councillor or an employer of the Councillor or an interest in a matter that the Councillor knows or should know could monetarily affect the Councillor's family, and as more particularly set out in Division 6 of the Municipal Government Act.

Guidelines

It is the purpose of this policy to outline certain basic guidelines for elected municipal government officials so that they may carry out their powers, duties and functions with impartiality and dignity, recognizing that the function of council members is, at all times, service to their community and the public. These guidelines are as follows:

A. Integrity

Integrity is the quality of being honest and having strong moral principles. It is vital that the public has confidence in Council's ability to provide good government and to provide services, facilities or other things that, in the opinion of Council, are necessary or desirable for all of or part of the County, and to develop and maintain safe and viable communities. Members of Council must conduct themselves in a way that promotes and maintains public confidence and shall be committed to performing their functions with integrity.

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

B. Public Interest

Councillors shall work for the common good of the residents of Strathcona County and not for any private or personal interest. Members of Council shall seek to serve the public interest by upholding both the letter and the spirit of the laws and policies established by the Government of Canada and the Province of Alberta as well as those policies and bylaws that Council imposes on itself. Councillors shall inform themselves of public issues, listen attentively to public discussions before Council and focus on the business at hand and shall make decisions based upon the merits and substance of the matter at hand.

C. Stewardship

Council recognizes that they are stewards; responsible to manage and look after the interests of Strathcona County residents and taxpayers. Recognizing that stewardship of the public interest must be their primary concern, Councillors are elected to act and to make decisions solely in terms of the public interest.

D. Impartiality

Impartiality is a principle of justice holding that decisions should be based on objective criteria, rather than on the basis of bias, prejudice, or preferring the benefit to one person over another for improper reasons. Members of Council shall perform their duties of office and arrange their private affairs in a manner that promotes public confidence and will bear close public scrutiny.

Councillors 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 the Municipal Government Act. Councillors must not place themselves under any financial obligation that may influence them in discharging their duties and responsibilities as councillors.

E. Gifts

Councillors 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 and shall refrain from accepting Gifts, favours or promises of future benefits that might compromise their independence of judgment or action or give the appearance of being compromised.

Acceptance of any Gift or benefit of a value greater than \$500.00 must be disclosed to Council and shall be noted in the minutes.

F. Confidentiality

Councillors must use council information which is not available to the public, in accordance with any relevant Council policy to ensure, as far as reasonable, the primacy of the public interest over any private interest. Councillors shall respect and preserve the confidentiality of information provided to them concerning the confidential matters of the County. They shall neither disclose confidential information without proper legal authorization nor use such information to advance their personal, financial or private interests.

After leaving office, Members of Council shall continue to keep confidential information acquired as a member of Council confidential.

G. Respect

Strathcona County Council promotes and expects respectful and responsible behaviours when interacting with each other, with Administration and with customers during the course of County business. All Councillors and employees of Strathcona County have the right to work in an environment based upon mutual respect, dignity and fairness, and one that is free from actions and behaviours that are contrary to respectful, dignified and fair treatment of the individual.

Council members shall support the maintenance of a positive and constructive environment for residents, businesses and County employees and shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motive of other members of Council, boards, commissions, committees, staff or the public.

H. Accountability

Councillors 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 the County. Councillors must govern their conduct in accordance with the requirements and obligations as set out in the Municipal Government Act or any other Act of the Government of Canada or the Province of Alberta. In performing their duties, Councillors must abide by any Council Policy, Bylaw, process or rule of order established by Council.

All Councillors shall take an oath in the form prescribed as Schedule "A" Code of Ethics attached to this Policy upon assuming office, pledging to uphold the policies and laws of the County, the Province of Alberta and the Government of Canada.

Councillors shall commit to disclosing to the appropriate authorities and/or to Council any behaviour or activity of which they become aware that may qualify as corruption, abuse, fraud, bribery or any other violation of the law or this Policy. Council shall deal with any such breaches in accordance with the Meeting Procedures Bylaw in force from time to time.

I. Policy Breaches

Elected Officials have a duty to help create a responsive, accessible, transparent and fair municipal government. Accordingly, Elected Officials have a duty to question whether another Elected Official is violating legislation, ethics or respectful behaviour as set forth in this policy.

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

- Requested apology by the Elected Official to the impacted individual(s)
- Removal of the Elected Official from Council Committees
- Dismissal of the Elected Official from a position of Deputy Mayor or Chairperson of a Committee
- Educational training on ethical and respectful conduct provided by a 3rd party at the expense of the Elected Official's individual budget

Any action taken by Council should include a time frame and what remedial action is expected

A decision to apply one or more of the actions detailed above requires a Council resolution.

All discussions surrounding alleged and substantiated violations of this policy shall be conducted in a council conversation in a public or an In Camera meeting of Council with the intent that the discussion shall remain confidential under the appropriate sections of the *Freedom of Information and Protection of Privacy (FOIP) Act*.

SCHEDULE "A"
STRATHCONA COUNTY COUNCIL
CODE OF ETHICS

I recognize that I have primary responsibility to assure that ethical standards are understood and met so that the public can continue to have full confidence in the integrity of the Council. In recognition of my commitment and dedication to the public that has entrusted me, as a member of Strathcona County Council, to provide governance I, <INSERT NAME OF COUNCILLOR>, promise that I will:

1. Govern my conduct in accordance with the requirements and obligations as set out in the Municipal Government Act or any other Act of the Government of Canada or the Province of Alberta as well as the requirements set by any Council Policy, Bylaw, process or rule of order established by Council.
2. Demonstrate the highest standards of personal integrity, honesty and fortitude in all public activities in order to inspire the public confidence and trust in me and the municipality I represent.
3. Devote time, thought and attention to the duties of a Councillor so that I may render effective and knowledgeable service.
4. Consider all available information in making my decisions and, thereafter, abide by and uphold the decision of Council.
5. Treat my fellow councillors, administration and the public with respect, concern, courtesy and responsiveness.
6. Develop and regularly evaluate goals and policies for Strathcona County which meet the needs and expectations of the public; and encourage active participation by the public in this process.
7. Work with my fellow Councillors in a spirit of harmony, compassion and cooperation in spite of differences of opinion; and listen to and respect those opinions which may be different than my own.
8. Strive for open and honest communications with my fellow Councillors.
9. Remember that, unless otherwise authorized by Council, I have no individual legal authority outside of a meeting of Council and I must conduct my relationships with staff, the public and the media on this basis.
10. Not use my position to benefit me or any other individual or organization, apart from the total interest of the community; and avoid placing myself in a position where there may be a real or perceived conflict of interest.

Document: 6512193