

# Councillor Request Inquiry

## #12-2021

2021

Information Request – 2021 Follow Up Questions to the February 09, 2021 Council Code of Conduct Information Request (Councillor Delainey)

As a follow up to the February 9, 2021 [Council Code of Conduct Information Request Response](#), please answer the following questions:

1. Was it submitted to the Alberta Government for approval?
2. Does it address the 13 “minimum required topics” set out on pages 4 and 5 of the Councillor Codes of Conduct: A Guide for Municipalities provided by the Alberta Government, RMA, and AUMA;
3. On whose authority and why were the nine guidelines and 14 ethical standards specified in the 2011 Council Code of Conduct Policy (GOV-001-028) and Schedule A removed; and
4. For the remainder of their term, are the current members of Council bound to uphold the promises in the oath they signed after the 2017 election?

The original February 9, 2021 Information Request can be accessed here: <https://pub-strathcona.escribemeetings.com/filestream.ashx?DocumentId=34993>

The responses to the above questions are:

1. No, the Council Code of Conduct Bylaw (27-2018) was not submitted to the Alberta Government. The establishment of a code of conduct bylaw is within Council’s jurisdiction and there is no requirement to submit such a bylaw to the provincial government for approval.
2. Yes, the Code of Conduct Bylaw does address the 13 minimum required topics as set out in the [Councillor Code of Conduct: A Guide for Municipalities](#) that was prepared by the Alberta Government in partnership with AUMA and RMA: Please see the chart below for the locations of the topics within the bylaw:

<b>Councillor Code of Conduct: A Guide for Municipalities – Requirements (pg. 4 and 5)</b>	<b>Council Code of Conduct Bylaw 27-2018</b>
representing the municipality	Section 8
communicating on behalf of the municipality	Section 9
respecting the decision-making process	Section 10
adherence to policies, procedures and bylaws	Section 11
respectful interactions with councillors, staff, the public and others	Section 6
confidential information	Section 12
Conflicts of interest	Section 13
Improper use of influence	Section 14
Use of municipal assets and services	Section 17

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Orientation and other training attendance	Section 16
adopt a complaint system outlining who can make complaints, the method by which complaints can be made, the process to determine a complaint's validity, and the process to determine how sanctions will be imposed for valid complaints;	Part IV – Informal Complaint System Part V – Formal Complaint System
incorporate by reference any matter required in the Code that is addressed or included in another bylaw	All required matters are addressed within the Bylaw, so there is no need to refer to others
include a provision for the review of the Code and any bylaws incorporated by reference at least once every four years from the date the Code was passed.	Section 32

3. As with all Strathcona County policies and bylaws, changes may only be made by Council. The older Strathcona County governance policy on Council Code of Conduct (GOV-001-028) did include a 'Schedule A,' which was a code of ethics that had been signed by elected officials following an election. This policy was rescinded by Council at the September 11, 2018 Council meeting, as the policy was replaced by the mandatory (required) Council Code of Conduct Bylaw 27-2018. Although members of Council do not sign the Code of Conduct Bylaw, it is still fully binding upon them.
4. Yes, Councillors are required to uphold the oath of office which was signed in 2017. The form of the oath is prescribed in section 2 of the *Oaths of Office Act, RSA 2000, c O-1*. If there are no changes to the provincial legislation, all Councillors elected on October 18, 2021 will be required to take the oath of office (sworn or affirmed) before assuming their roles as members of Council. In addition to the oath, Councillors must abide by the Code of Conduct Bylaw 27-2018 and any other Council policy currently in place.

Thank you,

Mavis