

# Council Committees' Code of Conduct

## Policy Statement

The purpose and intent of the Code of Conduct is to establish standards of conduct for Committee Members in the individual conduct of their official duties. The Code represents general standards. The Code does not replace the Member's roles, responsibilities, actions and behaviours required by various statutes, bylaws, terms of reference and policies.

## Principle Statement

A written Code of Conduct helps to ensure that the Members share a common basis of acceptable conduct. These standards are designed to supplement the statute, bylaw, terms of reference and policy parameters within which the Members must operate.

## Definitions

For the purpose of this Code of Conduct:

**CAO** shall mean the Chief Administrative Officer for the Village of Anmore, or designate;

**Committee Member** shall mean a person sitting on an Advisory Committee, Task Force, Commission, Board or other Mayor and/or Council established Committee;

**Committee** shall mean an Advisory Committee, Task Force, Commission, Board or any other Committee established by the Mayor and/or Council;

**Council** shall mean the Mayor and Councillors elected by the electorate of the Village of Anmore;

**Manager of Corporate Services** shall mean the Corporate Officer for the Village of Anmore, or designate;

**Staff** shall mean an employee or a contractor retained by the Village of Anmore; and

**Village** shall mean the Village of Anmore.

## General Conduct

- (a) Members of the public appointed to Committees are appointed at the pleasure of Council. They do not hold office nor do they represent a constituency within the Village nor do they represent Council or the Committee unless mandated to do so. Members of the public appointed to a Committee must respect the word and spirit of this Code of Conduct as it applies to them.
- (b) Committee Members shall be respectful of the role of Staff. No Committee Member shall maliciously or falsely injure the professional or ethical reputation, or the

prospects or practices of Staff and all Committee Members shall show respect for the professional capacities of the Staff of the Village.

- (c) Committees operate only within the meetings for which proper notice has been given pursuant to a set Agenda unless otherwise mandated by Council.
- (d) Committee Members:
  - Must adhere to the key principles and provisions of the Code of Conduct.
  - Must act lawfully and exercise a reasonable degree of care and diligence in carrying out their functions.
  - Must have an obligation to consider issues consistently and fairly.
  - Must avoid behaviour that could constitute an act of disorder or misbehaviour;
  - When making a recommendation to Council, consider all relevant facts, options and analyses of which they should be reasonably aware of;
  - Must carry out duties in a manner that allows Council and the public to remain informed about local government activity and practices;
  - Are obligated to question any request to act or make a recommendation to Council that they think may be unethical or unlawful;
- (e) Should there be uncertainty about the ethical issues around a recommendation to Council, Committee Members should consider the following:
  - Is the conduct or recommendation to Council lawful?
  - Is the conduct or recommendation to Council consistent with Council bylaws, policies and objectives?
  - Is the conduct or recommendation to Council consistent with the Committee's Code of Conduct or terms of reference?
  - Will the outcome of the recommendation to Council or conduct provide a private benefit for the individual, family, friends or business interests?
  - Can the recommendation to Council or conduct be justified in terms of the public interest and would it withstand public scrutiny?

## **Conflict of Interest**

- (a) Committee Members are expected to make recommendations to Council that benefit the Village. They are to be free from undue influence and not act or appear to act in order to gain financial or other benefits for themselves, family, friends or business interests.



- (b) A conflict exists when an individual is, or could be, influenced, or appear to be influenced, by a personal interest, financial (pecuniary) or otherwise, when carrying out their public duty. Personal interest can include direct or indirect pecuniary interest, bias, pre-judgement, close mindedness or undue influence.
- (c) Committee Members must appropriately resolve any conflict or incompatibility between their personal interests and the impartial performance of their public or professional duties in accordance with statutory requirements. When considering whether or not a conflict of interest exists, it is important to consider whether there are any grounds for a reasonable person to think that conflict exists.
- (d) Attached to this document is Division 6 - Conflict of Interest from the *Community Charter* which sets out the requirements with respect to conflict of interest, including procedures mandated for disclosure of such interests and matters relating to the acceptance of gifts, the use of insider information and disclosure of contracts.
- (e) Committee Members must immediately fully disclose to the Manager of Corporate Services any direct or indirect pecuniary interest, any bias or undue influence with respect to any matter they are dealing with.
- (f) When a Committee Member is uncertain whether a conflict exists, the situation must be immediately presented to the CAO for guidance.
- (g) Committee Members must not expect or request preferential treatment for themselves or their families because of their position. They must also avoid any action that could lead members of the public to believe that they are seeking preferential treatment.

### **Breaches, Complaint Handling and Disciplinary Action**

- (a) Committee Members are to abide by the requirements of the *Local Government Act*, *Community Charter* and this Code of Conduct, and shall endeavour to resolve interpersonal disputes in good faith.
- (b) Alleged breaches of this Code of Conduct by a Committee Member shall be submitted as a written complaint addressed to the Mayor within six (6) months of the last alleged breach.
- (c) The Mayor shall consider alleged breaches of this Code of Conduct by a Committee Member, direct that any enquiries he or she considers appropriate or desirable be undertaken and recommend appropriate disciplinary action to Council.
- (d) The Mayor may recommend that Council take any action provided for in the Code of Conduct that the Mayor considers reasonable in the circumstances.



- (e) Where Council finds that a Committee Member has breached this Code of Conduct, Council may decide by resolution to:
- Censure the Committee Member for misbehaviour;
  - Terminate the Committee Member's appointment; or
  - Implement such other measures as Council deems appropriate.

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| APPROVED BY COUNCIL ON: | JULY 7 <sup>th</sup> , 2015 |
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| AMENDED BY COUNCIL ON: |  |
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