

Responsible Conduct Guiding Principles Policy

(The City of Greenwood Members of Council)

ADOPTED by Council Date: January 22, 2024

Policy: The City of Greenwood members, of Council are committed to fostering and achieving high standards of responsible conduct by all members of the City of Greenwood Council.

Purpose:

1. To guide the conduct and set minimum standards as the basis for responsible behavior expected of the City of Greenwood members of Council in fulfilling their roles and responsibilities while providing good governance, for, decision-making, and service delivery.
2. To address some of the ethical issues facing many local governments today, including but not limited to:

Bias: When matters of personal interest include matters dealing with family, friends or business partners and associates.

Breach of Trust: Any act by an elected or appointed official which is in violation of the duties entrusted to them.

Bullying and Harassment: In accordance with the Anti-Bullying and Harassment Policy and relevant legislation.

Confidential Information: Such as information received at a closed meeting or marked “confidential”.

Conflict of Interest: Such as, whether an elected official has a direct or indirect pecuniary interest in a matter under consideration.

Gifts: Such as when a gift or benefit that is connected to an official’s performance is accepted.

Inside Influence: When an elected or appointed official uses his or her office to attempt to influence a decision of the Council.

Outside Influence: When an member of Council uses his or her office in an attempt to influence a decision of any other person or body (e.g., outside the Council)

Role Misunderstanding: A misunderstanding between council and staff regarding the roles and responsibilities of Council and staff, and more specifically about who is responsible and accountable for carrying out specific tasks and duties.

Key Principles:

Integrity: Being honest and demonstrating strong ethical principles.

- ❖ Be truthful, honest and open in all dealings
- ❖ Behave in a manner that promotes public confidence in local government, including actively avoiding any perception of conflicts of interest, improper use of office or unethical conduct.
- ❖ Uphold public interest, serving citizens diligently to make decisions in the best interests of the community.
- ❖ Ensure alignment between stated values and actions, including following through on commitments, engaging in positive communication with the community and correcting errors in a timely transparent manner.

Accountability: An obligation and willingness to accept responsibility or to account for one's actions.

- ❖ Be transparent in how an elected official individually, and a council/board collectively, conducts business and carries out duties.
- ❖ Ensure information is accessible and citizens can view the process and rationale behind each decision and action, while protecting confidentiality where appropriate or necessary.
- ❖ Accept and uphold that the council/board is collectively accountable for local government decisions and that individual elected officials are responsible and accountable for the decisions they make in fulfilling their roles as council members.
- ❖ Listen to and consider the opinions and needs of the community in all decision making and allow for discourse and feedback.

Respect: Having due regard for others' perspectives, wishes, and rights. Displaying deference (respectful of both tradition and legacy enshrined in Local Government Act positions as well as their intended functions) to local government offices and officers and the role of local government in community decision making.

- ❖ Treat every person, including other members of council, staff and the public, with dignity, understanding and respect.
- ❖ Show consideration at all times for colleagues and staff, including honouring people's values, beliefs, ideas, roles, contributions and needs.
- ❖ Create an environment of trust, including displaying awareness and sensitivity around comments and language that may be perceived as offensive or derogatory.
- ❖ Value the role of diverse perspectives and debate in decision-making.

- ❖ Act in a way that is respectful of the roles and responsibilities of the offices of Mayor and Councillor.
- ❖ In local government considerations and operations, value the municipal roles and responsibilities of local government staff as well as the community and commit to fostering a positive working relationship between staff, the public and members of Council.
- ❖ Call for and expect respect from the community towards members of Council and staff, and their roles and responsibilities within the local government system.

Leadership and Collaboration: An ability to lead, listen to, and positively influence others, coming together to create or meet a common goal through collective efforts.

- ❖ Demonstrate behavior that builds and inspires public trust and confidence in local government.
- ❖ Calmly face challenges and provide considered direction on issues, while empowering colleagues and staff to do the same.
- ❖ Create space for open expression by others, take responsibly for one’s own actions and reactions and accept the decisions of the majority.
- ❖ Accept that it is the equal responsibility of the individual council members, the council as a collective, the community and stakeholders to work together to achieve common goals.
- ❖ Be an active participant in ensuring the foundational principles are followed in all local government dealings (e.g., including among elected officials, between council members and staff, with community members, with other orders of government, in the decisions of council, and in the delivery of services and other activities of the local government).

Procedure: Application of a Code of Conduct (attached)

Statement:

As a member of the City of Greenwood Council, I agree to uphold the Responsible Conduct Guiding Principals Policy as a standard of behavior as adopted by the City of Greenwood members of Council.

I affirm that I have read and I understand the City of Greenwood’s Responsible Conduct guiding principals Policy

Printed Name: _____

Signature: _____

Corporate Administration Officer: _____

Date: _____

Code of Conduct:

1. Act in the Public Interest

1.1 Recognizing that the Council strives to maintain and enhance the quality of life for all the City of Greenwood residents, through professional, effective, responsive and responsible governance, elected and appointed representatives will conduct the City of Greenwood's business with integrity in a fair, honest and open manner.

2. Comply with the Law

2.1 Members of Council shall comply with all applicable federal, provincial and local laws in the performance of their public duties.

3. General Conduct

3.1 The conduct of Council members in the performance of their duties and responsibilities with the Council must be reasonable, fair, open and honest.

3.2 Members of Council have an obligation to consider issues consistently and impartially.

3.3 Members of Council will treat one another, staff and the public with dignity and respect. They must also refrain from behavior that is an abuse of power or otherwise amounts to discrimination, harassment, personal threats, intimidating or demeaning behaviour, or verbal attacks upon the character, professionalism or motives of others.

3.4 When making decisions, members of Council must consider all relevant facts, opinions and analysis of which they should be reasonably aware.

4. Respect for Process

4.1 All duties must be performed in accordance with the procedures and rules of order established by the City of Greenwood bylaws and policies, which govern the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the City of Greenwood Council. Members of committees shall be aware of the mandate of their respective committee and act in accordance with it.

5. Conduct of Public Meetings

5.1 Members of Council shall prepare themselves for meetings, listen courteously and attentively to all discussions before the body, and focus on the business at hand. During meetings, cell phones should be turned off, kept on silent or vibrate. Meeting attendees shall not interrupt other speakers, make personal comments or comments not relevant to the business of the meeting, or otherwise disturb a meeting.

6. Communication, Interactions with Public and Media

6.1 A Council Member must not communicate on behalf of the City of Greenwood unless authorized to do so by Council resolution or by virtue of a position or role the member of council has been authorized to undertake by council. The Mayor shall be the primary communicator of all council decisions unless a council member is authorized to do so by council resolution.

6.2 A statement or communication made by a Council Member is presumed to be made on the Council Members own behalf, not the City's behalf.

6.3 When a council member is authorized to communicate on behalf of the City, the council member must take reasonable efforts to ensure that the communication is fair and accurate.

6.4 Without limiting the ability of a council member to hold a position on an issue and respectfully express their opinions, a Council Member must:

- I. Ensure that their communications accurately reflect the facts of Council decisions;
- II. Ensure that all communications relating to Council business are accurate and not issue any communication that the member knows, or ought to have known, to be false; and
- III. Ensure that all communications by, and on behalf of a member, including communications made via social media, are respectful and do not discriminate, harass, or defame any person, recognizing that free and open debate is guaranteed under the Charter of Rights and Freedoms.

7. E-Mail Best Practices

7.1 The Council strives to convey a professional image of the organization at all times, and will work to ensure that all forms of communication from Council meet specific standards of professionalism, graphic standards, plain language and other best practices in organizational communication.

7.2 The City of Greenwood members of Council will attempt to use e-mail best practices as set out in this document when communicating with customers, clients, or any third party on behalf of the organization via e-mail.

7.3 The City of Greenwood members of Council are expected to ensure that all electronic communications relating to the City of Greenwood business are consistently professional.

7.4 Proof-read e-mails before sending. Use a spell-checker and grammar-checker to ensure that the message is free of mechanical and grammatical errors. In the case of very important e-mails, consider having a colleague proofread a draft before the e-mail is sent. Poor writing can tarnish the Council's reputation and credibility.

7.5 Ensure the accuracy of e-mail content. Consult the appropriate authoritative source to verify that what you are writing is correct before you hit "send."

7.6 Use appropriate language and a professional tone in e-mail messages. It is often very difficult to determine when a person is using humour, sarcasm, or irony in an e-mail. Please note that e-mails that include humour, sarcasm or irony may be misunderstood and should be avoided.

7.7 Avoid using all capital letters. Messages typed in ALL CAPITALS are the e-mail equivalent of yelling, and may be taken as offensive.

7.8 Keep messages short, simple, clear and concise.

7.9 Remember that when you send an e-mail, that e-mail becomes part of a permanent electronic record. Whatever is written in your e-mail, including content and form, will be on the public record until deleted. And is subject to the Freedom of Information Legislation.

7.10 While it's common to use short-hand for personal notes, it is unacceptable for business communication. Standard abbreviations (including: e.g., Mrs., Mr., etc.) will continue to be acceptable, however, the use of excessive or colloquial abbreviations (LOL, ROFL, TTYL, BRB, etc.) is unacceptable.

7.11 Ensure that all messages are sent only to the intended recipients. Avoid sending messages to parties that are not directly affected by the contents of the message.

7.12 Ensure that all messages include a completed, appropriate and accurate Subject line and a signature.

7.13 E-mails that contain financial information (Quotes, costs, etc.) must be checked for accuracy.

7.14 Under no circumstances should the City of Greenwood confidential business information be sent out to any third-party using e-mail, without prior written authorization from the Council.

7.15 Archive all messages that are older than 3 months.

7.16 Outgoing e-mails shall include a signature block indicating the sender's name, title and contact information and follow the City of Greenwood graphic standards. The sender shall be responsible for ensuring that paper copies of e-mail strings are kept where circumstances warrant.

8. Decisions Based on Merit

8.1 Members of Council shall base their decisions on merits and substance of a matter at hand, rather than on unrelated circumstances and information.

9. Conflict of Interest

9.1 Members of Council shall be aware of their responsibilities under the Community Charter and Local Government Act and shall fulfill the requirements of conflict-of-interest provisions set out in the Community Charter. It is expected members of Council will make decisions that benefit the City of Greenwood. 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.

9.2 Members of Council must fully disclose to the Council and the Chief Administrative Officer any direct or indirect pecuniary interest, any bias or undue influence with respect to any matter they are dealing with immediately.

9.3 Any conflict or incompatibility between personal interests and the impartial performance of public or professional duties must be resolved appropriately and in accordance with statutory requirements.

9.5 Confidential information gained through official positions must not be used for securing a private benefit for the official and or anyone else.

9.6 Members of Council must not expect or request preferential treatment for themselves or their family 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.

10. Gifts and Personal Benefits/Favours

10.1 Members of Council must not, directly or indirectly accept a gift or personal benefit that is intended to influence the member's performance of their respective official duties related to the City of Greenwood, and never accept a gift of cash. Members of Council must ensure that their immediate family members do not receive gifts or personal benefits that could appear to an impartial observer

to be an attempt to challenge this policy or to influence or secure a favour from the Community Charter and Local Government Act.

11. Confidential Information

11.1 Members of Council shall be aware of their responsibilities under the Community Charter the which sets out legislation and requirements with respect to Duty, to Respect Confidentiality and which all members of Council shall fulfill. Any collection, use and disclosure of personal and or private business information must be managed in accordance with the Freedom of Information and Protection of Privacy Act and for the purpose for which it is intended to be used.

11.2 Members of Council shall respect the confidentiality of information concerning property, personnel or legal affairs of the City of Greenwood and of information provided by a third party to the City of Greenwood on a confidential basis. The confidentiality of information concerning property, personnel, the City of Greenwood legal affairs or information provided by a third party to the City of Greenwood on a confidential basis, must be respected and must not be disclosed without authorization, nor used to advance personal, financial or other private interests.

11.3 Members of Council shall not disclose or release to anyone, confidential information acquired by virtue of their office in either oral, electronic or written form except when required by law or authorized by the Council to do so.

11.4 The deliberations and decisions made in a closed meeting must not be released to the public until the Council approves, by resolution, that this information be released to the public.

11.5 Except in the normal course of duties, members of Council must not in any way change or alter the City of Greenwoods records or documents.

12. Use of Public Resources

12.1 Members of Council are not entitled to use public resources, which are not available to the overall public such as equipment, supplies or facilities or other private property other than for the discharge of their duly authorized duties dealing with the City of Greenwood business and in no case for private or personal gain, convenience or profit.

13. Political Activity

13.1 Members of Council must not undertake campaign related activities on Greenwood property and must not use any City of Greenwood property or staff for campaign work including, the City of Greenwoods, photocopiers, computers, and email lists etc.

14. Interactions with Members, Staff and Advisory Bodies

14.1 Members of Council must act in accordance with Councils, Procedure Bylaw and the conduct guidelines outlined in this document.

14.2 Members of Council must not direct or influence, or attempt to direct or influence any staff or advisory body member in the exercise of their duties or functions and are not to contact or issue instructions to any of the City of Greenwood, contractors, tenderers, consultants or other service providers.

14.3 Members of Council must not make public statements attacking or reflecting negatively on the City of Greenwood staff or invoke staff matters for political purposes.

15. Implementation

15.1 The City of Greenwood's Guiding Principles for Responsible Conduct Policy and the code of conduct procedure will be provided to candidates running in the City of Greenwood elections.

Candidates elected to the City of Greenwood Council or individuals appointed to the Regional District Kootenay Boundary Board as municipal Directors and those appointed as Alternate Directors, as well as individuals appointed to other City of Greenwood bodies, committees and commissions will be requested to sign the Policy affirming they have read and understand the City of Greenwood Responsible Conduct of Conduct. The Policy and code of conduct procedure will be reviewed at orientation sessions for new and returning elected and appointed officials following each election or by-election.

16. Compliance and Enforcement

16.1 All members of Council are to abide by the requirements of the Community Charter and Local Government Act, and the Guiding Principles for Responsible Conduct Policy and shall endeavor to resolve disputes in good faith recognizing that interpersonal malice and rancor do not facilitate good governance.

16.2 Stage 1:

Alleged breaches of this Code of Conduct by elected officials shall be reported in writing to the HR Liaison for Council within 14 days of the alleged breach. The HR Liaison shall then conduct an informal, preliminary investigation into the breach and speak to the parties involved with a goal of resolving the issue informally between the parties, with email confirmation from the parties that a meeting of the parties occurred.

- I. The HR Liaison may call upon senior staff to be present at the meeting with the parties involved but only in an advisory and/or support role so as to keep staff at arm's length.

16.3 Stage 2:

If it is determined that the elected official has breached the Code of Conduct, and the issue was not able to be resolved informally under the process identified in Section 16.2 above, the HR Liaison will then address the Council at an in camera (closed) meeting to take one or more of the following actions:

- Letter of apology
- Mandatory education, training, coaching or counselling
- Reorientation to the policy and its purpose
- Suspension/removal from some or all committees or other bodies
- Public censure
- Letter of reprimand or formal warning
- Publication of reprimand or request for apology and member's response
- Restrictions on representing the local government or attending events or conferences
- Limits on travel/expenses beyond those in corporate policies
- Limiting access to certain local government facilities
- Requirement to return local government property provided for convenience
- Restrictions on how documents are provided to the member
- Reduction in compensation (in accordance with remuneration bylaw)
- Written pledge promising to comply

16.4 The complaints are to be submitted to the Chief Administrator Officer, who shall retain all reports or other written and electronic records pertaining to the complaint.

17. Impact on Council Decisions

17.1 A violation of this Responsibility Conduct Guiding Principals Policy shall not be considered a basis for challenging the validity of a Council decision.