



# City of Richmond

## Report to Committee

**To:** General Purposes Committee  
**From:** Jason Kita  
 Director, Corporate Programs Management Group  
**Re:** Code of Conduct for Elected Officials

**Date:** April 10, 2019  
**File:** 01-0005-01/2019-Vol 01

### Staff Recommendation

That the report titled "Code of Conduct for Elected Officials" dated April 10, 2019 from the Director, Corporate Programs Management Group be received for information.

Jason Kita  
 Director, Corporate Programs Management Group  
 (604-276-4091)

Att: 6

REPORT CONCURRENCE			
<b>ROUTED TO:</b>	<b>CONCURRENCE</b>	<b>REVIEWED BY SMT</b>	<b>INITIALS:</b>
Law	<input checked="" type="checkbox"/>		
		<b>APPROVED BY CAO</b>	

## Staff Report

### Origin

At the September 17, 2018 General Purposes Committee meeting, discussion occurred regarding a code of conduct for Richmond City Council. As a result, the following referral was made:

*That staff review code of conduct options and codes of conduct implemented in other municipalities and report back following the November 5, 2018 Inaugural Council meeting.*

### Analysis

#### Existing Framework

In the province of British Columbia, legislation and common law establishes the ethical standards and rules of behaviours that locally elected officials must follow. These rules of behaviours are set out in the *Community Charter*<sup>1</sup>. The *Community Charter*, Division 6 – Conflict of Interest (Attachment 1) provides rules for conflicts of interest, inside and outside influence, exceptions from conflict restrictions, the acceptance and disclosure of gifts, disclosure of contracts, and the use of insider information. Legislation relating to the roles and responsibilities of elected officials also includes the *Local Government Act*<sup>2</sup> and the more broadly applied *Workers Compensation Act*<sup>3</sup> and *BC Human Rights Code*<sup>4</sup>.

A code of conduct is a written document that can be used by a Council to outline a shared set of expectations for conduct or behaviours that go beyond those outlined in the *Community Charter* and in common law. A code of conduct may be established at the discretion of Council and, as a document that is unique to a particular municipality, can take different forms in order to meet a particular Council's needs. While legislation sets out the roles, responsibilities, and ethical standards of elected officials, a Council may choose to adopt a code of conduct to more clearly define collective expectations for responsible conduct. Responsible conduct refers more broadly to how elected officials conduct themselves in relation to their elected colleagues, staff and the general public. Responsible conduct is an element of good governance that is founded in elected officials conducting themselves with honesty and integrity in a manner that furthers the municipality's ability to best serve the community.

Establishing a code of conduct that defines expectations for various aspects of responsible conduct is a matter of the governance role of Council. As such, the options presented below are provided for Council's consideration without a specific recommendation from staff. Staff are able to provide additional information if required and welcome Council's direction on any desired next steps.

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<sup>1</sup> Community Charter [SBC 2003] Chapter 26:

[http://www.bclaws.ca/civix/document/id/complete/statreg/03026\\_04#section100](http://www.bclaws.ca/civix/document/id/complete/statreg/03026_04#section100)

<sup>2</sup> Local Government Act: [http://www.bclaws.ca/civix/document/id/complete/statreg/r15001\\_00](http://www.bclaws.ca/civix/document/id/complete/statreg/r15001_00)

<sup>3</sup> Workers Compensation Act: [http://www.bclaws.ca/civix/document/id/complete/statreg/96492\\_00](http://www.bclaws.ca/civix/document/id/complete/statreg/96492_00)

<sup>4</sup> BC Human Rights Code: [http://www.bclaws.ca/Recon/document/ID/freeside/00\\_96210\\_01](http://www.bclaws.ca/Recon/document/ID/freeside/00_96210_01)

### Elements of a Code of Conduct

A code of conduct may include provisions relating to a variety of topics, at Council's discretion. Topics include those that expand upon already legislated expectations such as those related to the acceptance of gifts and proper handling of City information, as well as introducing new expectations around communication via social media and other channels, personal interactions with the public and other organizations or appointed bodies, or any other area Council feels is necessary to establish clarification around.

Examples of expectations relating to these topics that other municipalities have adopted include:

- *Absences and vacations*  
A code of conduct may outline expectations around attendance at meetings and may define an acceptable number of absences or vacation days. Provisions around scheduling vacations during breaks in the Council meeting schedule, or on "fifth weeks" when there are no meetings may also be considered.
- *Accepting gifts*  
Policies have been included that state that Council members may not accept any gifts (present or promised in the future), with the exception of appropriate refreshments or meals, and gifts or favours where authorized by law or as part of protocols or business obligations. Limitations have been placed, in some cases, on the value of gifts that are considered acceptable to receive, and some policies require Council members to complete a "gift disclosure form" upon receipt of gifts above a designated value. These policies are in addition to the rules and restrictions outlined in the *Community Charter*. The City of Vancouver is an example of a municipality that has included additional policies regarding receiving and disclosing the receipt of gifts on their code of conduct.

The *Community Charter* outlines a number of rules and restrictions relating to accepting and disclosing gifts, along with other ethical standards and rules governing municipal Councils (Attachment 1):

- Council members are prohibited from accepting a fee, gift or personal benefit connected with that member's performance of their official duties, except for three exemptions which each may trigger reporting requirements:
  - a. a gift or personal benefit that is received as an "incident of the protocol or social obligations that normally accompany the responsibilities of office":
    - must be disclosed to the corporate officer as soon as possible in a written disclosure statement, if the gift or benefit exceeds \$250 in value or the total value of gifts and benefits from one source in a 12 month period exceeds \$250;
    - the disclosure statement must indicate the nature of the gift or benefit, the source, when it was received, and the circumstances under which it was given and accepted.
  - b. compensation authorized by law (i.e. remuneration for acting as a Council member, reported annually under section 168 of the *Community Charter*); and
  - c. lawful political campaign contributions (reported under the *Local Elections Campaign Financing Act*).  
(sections 105 and 106)

- *Access and sharing of information*  
Restrictions of access to individual staff have also been put in place, outlining that communications and requests for information from Council members to City employees must flow through the CAO, with direct access to staff within a department being solely at the CAO's discretion and practicality. The District of Stewart, for example, adopted this policy. Whereas others, such as the City of Grand Forks, allow for Council members to communicate directly with Department heads for requests that constitute a technical clarification; and go on to state that responses to requests beyond what is considered a clarification will be distributed to all Council members to ensure equal access to information.
- *Respectful communications*  
Expectations around communicating with various parties such as staff, volunteers, and the media are outlined. These include expectations around demonstrating attentive listening and courteous, professional, fair, and unbiased communication with commitments to not interrupt other speakers, make comments that are not germane to the business of the body, or otherwise disturb a meeting. This often includes refraining from defamatory remarks, disparaging statements, expressing attitudinal biases related to matters that are the subject of a statutory or other public hearing. The Regional District of Central Okanagan, for example, also includes the requirement that cell phones be turned off in meetings, unless urgently required. The District of Saanich includes expectations for social media use and requires Council members to monitor their social media accounts and take immediate measures to deal with posts from others that violate the code of conduct.
- *Handling internal conflicts*  
Statements have been included outlining respectful communications with each other, with staff, and with the public. Expectations are established in some cases that ensure comments and issues with performance or conduct are handled privately and (in the case of staff) through private correspondence and conversations with the CAO. The City of Dawson's Creek is an example of a municipality that has included this provision.

Several codes of conduct reference respect for process, with commitments to uphold and respect decisions of Council, even if individual members disagree with the decision. Some state that when speaking with the media, Council members may acknowledge they voted against a particular matter, but may not make disparaging remarks about other Council members or Council's decision in order to uphold the respect and integrity for the process. The Regional District of Central Okanagan, for example, includes this language in their code of conduct.

- *Political activities and advocacy*  
Codes of conduct may outline expectations around a Council member's role as an advocate for constituents, and as a representative of the City. Some provide clarity around ensuring Council members, when speaking about matters of personal opinion, state that they are not representing or expressing the views of the City or Council. The

District of Saanich, for example, requires members to include an “in my opinion” disclaimer on any social media post pertaining to District-related business.

- *Use of public resources*  
Codes of conduct may outline provisions around the use of public resources including staff time, equipment, supplies or facilities for private gain or personal purposes. The District of North Vancouver, for example, includes language around the use of public resources.

The above list outlines examples of topic areas that Council may wish to consider should they wish to add clarification around aspects of behavior and conduct beyond expectations laid out in the *Community Charter*. It should be noted that, while a Council may include expectations around a wide variety of topics, a code of conduct is not intended to replace or conflict with existing legislation and common law.

### The Working Group on Responsible Conduct

In August 2018, the Union of British Columbia Municipalities (UBCM) published a Model Code of Conduct that was established by the Working Group on Responsible Conduct (the Working Group). This joint initiative between the UBCM, the Local Government Management Association (LGMA), and the Ministry of Municipal Affairs and Housing provides information regarding best practices in establishing a code of conduct and an optional template (Attachment 2) that can be used and modified as desired to meet the needs of an individual municipality.

As part of its work, the Working Group established four foundational principles that are recommended for inclusion in a code of conduct for elected officials. These foundational principles are:

1. Integrity;
2. Respect;
3. Accountability; and
4. Leadership and collaboration.

Definitions of the foundational principles and examples of behaviours relating to each were established by the Working Group and are included in the template, as is the option for Council to add value statements and reference additional policies that apply to conduct and behaviours.

Best practices outlined in this report include:

- considering the process used to develop the code of conduct to ensure it allows for dialogue and time spent discussing the content;
- Ensuring the code of conduct is meaningful and customized to the municipality it is intended for;
- ensuring consistent integration into Council meetings, processes and discussions so it remains relevant and effective;
- ensuring appropriate consideration and alignment between existing policies and expectations;

- the provision of support and education around ensuring all members of Council understand the established code of conduct and what is expected of them as a result; and
- regular revisiting of the code of conduct to ensure it remains relevant and best meets the needs of the municipality.

The Working Group is currently developing a framework to support a code of conduct. This work involves seeking to find a balance between standardizing the rules for establishing a code of conduct and allowing for local flexibility. An analysis of feedback the Working Group has received regarding the components of the framework is expected to be published this summer.

A code of conduct is a tool that is useful to the extent that it provides a set of shared expectations of behaviours that can be understood, agreed upon and followed by all members. There is not one particular approach to take to developing and implementing a code of conduct. The Working Group released a companion guide (Attachment 3) that provides tips and resources to assist in establishing a code of conduct. This guide poses questions to help set the scope, establish a shared understanding of principles and values, define standards of conduct, determine how the code of conduct will align with other strategies and policies, and be used by Council once adopted.

There are a number of approaches that Council could consider to develop a code of conduct. While Council could consider developing a code of conduct starting from the very beginning, this approach would be lengthy and require significant attention to the process. Given the length and process involved in this approach, three alternative options are presented below that provide Council with the ability to create a customized approach to meet Richmond's needs and provide clear standards for conduct in a more timely manner.

### Code of Conduct Options

Any one of the options below, or a combination of these approaches, could be undertaken:

1. Option 1: Continue to operate within the existing framework of legislation, laws, and policies that outline expectations of conduct for elected officials;
2. Option 2: Adopt a code of conduct that has been established by another municipality, amended as necessary to reflect Richmond Council's shared expectations for conduct; or
3. Option 3: Adopt or amend a code of conduct drafted by staff, including any additional provisions at Council's discretion.

*Option 1: Continue to operate within the existing framework of legislation, laws, and policies that outline expectations of conduct for elected officials.*

Council is currently operating within an existing framework of legislation specific to the conduct of elected officials that includes the *Community Charter* and the *Local Government Act*. Common law and legislation such as the *Workers Compensation Act* and the *BC Human Rights Code* also require governments to ensure the health and safety of employees and to address and prevent inappropriate behaviours from occurring.

Should there be the need to address an individual in contravention of the provisions set out in the *Community Charter*; penalties are in place, enforceable by the Supreme Court of BC that may include declaring the individual as disqualified from holding office.

Council may wish to continue to operate within the existing framework of legislation that outlines expectations for the conduct of elected officials. Within this framework, clear expectations are outlined regarding ethical standards that address potential conflicts of interest. Though ethical conduct is addressed in current legislation, expectations specific to responsible conduct are not currently outlined in legislation. Responsible conduct for elected officials is a necessary and expected component of good governance. Tools such as a code of conduct may be used to promote or more clearly define standards for responsible conduct.

*Option 2: Adopt a code of conduct that has been established by another municipality, amended as necessary to reflect Richmond Council's shared expectations for conduct.*

There are many approaches to the development of a code of conduct that Councils may choose to consider. Several city councils have adopted different versions of a code of conduct. Local governments in BC that have adopted a code of conduct policy outlining minimum expectations for the behaviours of elected officials include:

- the City of Vancouver
- the City of Surrey
- the District of North Vancouver
- the City of Grand Forks
- the City of Prince George
- the District of Saanich
- the District of Sooke
- the District of Sparwood
- the District of Stewart
- the Comox Valley Regional District
- the Regional District of Central Okanagan
- the Village of Pemberton
- the City of Dawson Creek
- the City of Prince George

The District of Saanich adopted a code of conduct in 2016. This policy is attached for Council's reference (Attachment 4) as it is quite thorough and includes additional elements that may be of interest due to the inclusion of language in the interpretation of the policy that explicitly addresses the use of social media, interactions with the public and media, and the handling of gifts.

The District of North Vancouver adopted a Code of Ethics for Council, last amended in 2015 (Attachment 5). The District of North Vancouver Code of Ethics was developed to support the District's statement that residents and businesses are entitled to fair, open and honest local government. Council members and those appointed to committees, commissions and task forces of Council have committed to the code of ethics to ensure that:

- public business is conducted with integrity, in a fair, honest and open manner;
- members respect one another, the public and staff and recognize the unique role and contribution each person has in making the District a better place to work and live;
- their conduct in the performance of their duties and responsibilities with the District be above reproach; and
- the decision-making processes be accessible, participatory, understandable, timely and just, in addition to the requirements of applicable enactments.

Many of these codes of conduct include similar elements and language. An option for Council is to use a code of conduct that has been adopted by another municipality and to provide direction to staff in regard to making any revisions, additions or deletions from the content in order to meet Council's needs. This approach would result in the ability to adopt a code of conduct in a more expedient manner.

*Option 3: Adopt or amend a code of conduct drafted by staff, including any additional provisions at Council's discretion.*

A draft City of Richmond Code of Conduct for Elected Officials (Attachment 6) has been prepared for Council's consideration using the Working Group's recommended template and foundational principles.

This draft City of Richmond Code of Conduct for Elected Officials was developed to provide a useful document that provides foundational principles and expectations, as published by the Working Group. This draft code of conduct can be adopted as-is or revised as desired by Council. Elements from other codes of conduct may be included, as well as more explicit reference to sections of the *Community Charter*, or relating to aspects of responsible conduct that are of particular interest to Richmond Council, provided that the content is consistent with existing policies and laws.

A code of conduct, once adopted, is not "set in stone" and may be revisited and updated as needed at Council's discretion. The practice of reviewing and updating a code of conduct is considered a best practice in order to ensure expectations are current, relevant, and continue to reflect desired guidelines for all members of Council.

### **Financial Impact**

None.

### **Conclusion**

Codes of conduct are a tool that City Councils may choose to develop to outline shared expectations for behaviours and responsible conduct that extends beyond the ethical standards



and rules outlined in the *Community Charter* and in other legislation. A code of conduct may be established at the discretion of Council, with a great deal of flexibility with regard to format, content, and the process that is undertaken, in order to meet the specific needs of Council.



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CA:ca

Att. 1: Community Charter [SBC 2003] Chapter 26; Part 4 – Public Participation and Council  
Accountability; Division 6 – Conflict of Interest

Att. 2: Model Code of Conduct: Getting started on a code of conduct for your Council / Board

Att. 3: Companion Guide: Getting started on a code of conduct for your Council / Board

Att. 4: District of Saanich Code of Conduct

Att. 5: District of North Vancouver Code of Ethics

Att. 6: Draft Example of a City of Richmond Code of Conduct for Elected Officials

## Division 6 – Conflict of Interest

### Disclosure of conflict

- 100** (1) This section applies to council members in relation to
- (a) council meetings,
  - (b) council committee meetings, and
  - (c) meetings of any other body referred to in section 93 [*application of open meeting rules to other bodies*].
- (2) If a council member attending a meeting considers that he or she is not entitled to participate in the discussion of a matter, or to vote on a question in respect of a matter, because the member has
- (a) a direct or indirect pecuniary interest in the matter, or
  - (b) another interest in the matter that constitutes a conflict of interest,
- the member must declare this and state in general terms the reason why the member considers this to be the case.
- (3) After making a declaration under subsection (2), the council member must not do anything referred to in section 101 (2) [*restrictions on participation*].
- (4) As an exception to subsection (3), if a council member has made a declaration under subsection (2) and, after receiving legal advice on the issue, determines that he or she was wrong respecting his or her entitlement to participate in respect of the matter, the member may
- (a) return to the meeting or attend another meeting of the same body,
  - (b) withdraw the declaration by stating in general terms the basis on which the member has determined that he or she is entitled to participate, and
  - (c) after this, participate and vote in relation to the matter.
- (5) For certainty, a council member who makes a statement under subsection (4) remains subject to section 101 [*restrictions on participation if in conflict*].
- (6) When a declaration under subsection (2) or a statement under subsection (4) is made,
- (a) the person recording the minutes of the meeting must record
    - (i) the member's declaration or statement,
    - (ii) the reasons given for it, and
    - (iii) the time of the member's departure from the meeting room and, if applicable, of the member's return, and
  - (b) unless a statement is made under subsection (4), the person presiding at that meeting or any following meeting in respect of the matter must ensure that the member is not present at any part of the meeting during which the matter is under consideration.

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### Restrictions on participation if in conflict

- 101** (1) This section applies if a council member has a direct or indirect pecuniary interest in a matter, whether or not the member has made a declaration under section 100.
- (2) The council member must not
- (a) remain or attend at any part of a meeting referred to in section 100 (1) during which the matter is under consideration,
  - (b) participate in any discussion of the matter at such a meeting,
  - (c) vote on a question in respect of the matter at such a meeting, or
  - (d) attempt in any way, whether before, during or after such a meeting, to influence the voting on any question in respect of the matter.
- (3) A person who contravenes this section is disqualified from holding office as described in section 108.1 [*disqualification for contravening conflict rules*] unless the contravention was done inadvertently or because of an error in judgment made in good faith.

### Restrictions on inside influence

- 102** (1) A council member must not use his or her office to attempt to influence in any way a decision, recommendation or other action to be made or taken
- (a) at a meeting referred to in section 100 (1) [*disclosure of conflict*],
  - (b) by an officer or an employee of the municipality, or
  - (c) by a delegate under section 154 [*delegation of council authority*],
- if the member has a direct or indirect pecuniary interest in the matter to which the decision, recommendation or other action relates.
- (2) A person who contravenes this section is disqualified from holding office as described in section 108.1 [*disqualification for contravening conflict rules*] unless the contravention was done inadvertently or because of an error in judgment made in good faith.

### Restrictions on outside influence

- 103** (1) In addition to the restriction under section 102, a council member must not use his or her office to attempt to influence in any way a decision, recommendation or action to be made or taken by any other person or body, if the member has a direct or indirect pecuniary interest in the matter to which the decision, recommendation or other action relates.
- (2) A person who contravenes this section is disqualified from holding office as described in section 108.1 [*disqualification for contravening conflict rules*] unless the contravention was done inadvertently or because of an error in judgment made in good faith.

### Exceptions from conflict restrictions

- 104** (1) Sections 100 to 103 do not apply if one or more of the following circumstances applies:

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- (a) the pecuniary interest of the council member is a pecuniary interest in common with electors of the municipality generally;
  - (b) in the case of a matter that relates to a local service, the pecuniary interest of the council member is in common with other persons who are or would be liable for the local service tax;
  - (c) the matter relates to remuneration, expenses or benefits payable to one or more council members in relation to their duties as council members;
  - (d) the pecuniary interest is so remote or insignificant that it cannot reasonably be regarded as likely to influence the member in relation to the matter;
  - (e) the pecuniary interest is of a nature prescribed by regulation.
- (2) Despite sections 100 to 103, if a council member
- (a) has a legal right to be heard in respect of a matter or to make representations to council, and
  - (b) is restricted by one or more of those sections from exercising that right in relation to the matter,
- the council member may appoint another person as a representative to exercise the member's right on his or her behalf.

### Restrictions on accepting gifts

- 105** (1) A council member must not, directly or indirectly, accept a fee, gift or personal benefit that is connected with the member's performance of the duties of office.
- (2) Subsection (1) does not apply to
- (a) a gift or personal benefit that is received as an incident of the protocol or social obligations that normally accompany the responsibilities of office,
  - (b) compensation authorized by law, or
  - (c) a lawful contribution made to a member who is a candidate for election to a local government.
- (3) A person who contravenes this section is disqualified from holding office as described in section 108.1 [*disqualification for contravening conflict rules*] unless the contravention was done inadvertently or because of an error in judgment made in good faith.

### Disclosure of gifts

- 106** (1) This section applies if
- (a) a council member receives a gift or personal benefit referred to in section 105 (2) (a) that exceeds \$250 in value, or
  - (b) the total value of such gifts and benefits, received directly or indirectly from one source in any 12 month period, exceeds \$250.
- (2) In the circumstances described in subsection (1), the council member must file with the corporate officer, as soon as reasonably practicable, a disclosure statement

indicating

- (a) the nature of the gift or benefit,
  - (b) its source, including, if it is from a corporation, the full names and addresses of at least 2 individuals who are directors of the corporation,
  - (c) when it was received, and
  - (d) the circumstances under which it was given and accepted.
- (3) A person who contravenes this section is disqualified from holding office as described in section 108.1 [*disqualification for contravening conflict rules*] unless the contravention was done inadvertently or because of an error in judgment made in good faith.

### **Disclosure of contracts with council members and former council members**

**107** (1) If a municipality enters into a contract in which

- (a) a council member, or
- (b) a person who was a council member at any time during the previous 6 months,

has a direct or indirect pecuniary interest, this must be reported as soon as reasonably practicable at a council meeting that is open to the public.

- (2) In addition to the obligation under section 100 [*disclosure of conflict*], a council member or former council member must advise the corporate officer, as soon as reasonably practicable, of any contracts that must be reported under subsection (1) in relation to that person.
- (3) A person who contravenes subsection (2) is disqualified from holding office as described in section 108.1 [*disqualification for contravening conflict rules*] unless the contravention was done inadvertently or because of an error in judgment made in good faith.

### **Restrictions on use of insider information**

**108** (1) A council member or former council member must not use information or a record that

- (a) was obtained in the performance of the member's office, and
- (b) is not available to the general public,

for the purpose of gaining or furthering a direct or indirect pecuniary interest of the council member or former council member.

- (2) A person who contravenes this section is disqualified from holding office as described in section 108.1 [*disqualification for contravening conflict rules*] unless the contravention was done inadvertently or because of an error in judgment made in good faith.

### **Disqualification from office for contravening conflict rules**

CP 70

**108.1** A person disqualified from holding office under this Division is disqualified from holding office

- (a) on a local government,
- (b) on the council of the City of Vancouver or on the Park Board established under section 485 of the *Vancouver Charter*, or
- (c) as a trustee under the *Islands Trust Act*

until the next general local election.

### **Court order for person to give up financial gain**

**109** (1) If a council member or former council member has

- (a) contravened this Division, and
- (b) realized financial gain in relation to that contravention,

the municipality or an elector may apply to the Supreme Court for an order under this section.

- (2) Within 7 days after the petition commencing an application under this section is filed, it must be served on
  - (a) the council member or former council member, and
  - (b) in the case of an application brought by an elector, the municipality.
- (3) On an application under this section, the Supreme Court may order the council member or former council member to pay to the municipality an amount equal to all or part of the person's financial gain as specified by the court.
- (4) In the case of an application made by an elector, if the court makes an order under subsection (3), the municipality must promptly pay the elector's costs within the meaning of the Supreme Court Civil Rules.
- (5) The court may order that costs to be paid under subsection (4) may be recovered by the municipality from any other person as directed by the court in the same manner as a judgment of the Supreme Court.
- (6) Except as provided in subsection (4), the costs of an application are in the discretion of the court.

MODEL CODE OF CONDUCT

# Getting Started on a Code of Conduct for Your Council / Board

*Produced by the Working Group on Responsible Conduct*

*August 2018*



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*The Working Group on Responsible Conduct* is a joint initiative between the Union of BC Municipalities, the Local Government Management Association, and the Ministry of Municipal Affairs & Housing. The Group was formed to undertake collaborative research and policy work around issues of responsible conduct of local government elected officials.



## INTRODUCTION & EXPLANATORY NOTES

### What is a Code of Conduct?

- A Code of Conduct is a written document that sets shared expectations for conduct or behaviour. A local government council or board can adopt a Code of Conduct to establish shared expectations for how members should conduct themselves while carrying out their responsibilities and in their work as a collective decision-making body for their community.
- Responsible conduct of elected officials is not optional; it is essential to good governance. Responsible conduct is grounded in conducting oneself according to principles such as honesty and integrity, and in a way that furthers a local government's ability to provide good governance to their community (e.g. governing in a way that is transparent, ethical, accountable, respectful of the rule of law, collaborative, effective, and efficient).
- A Code of Conduct is one tool that can be used by a local government council or board to promote or further responsible conduct.

### What is the purpose of this document?

- The purpose of this document is to provide local government council or board members with a model Code of Conduct which establishes a set of principles and general standards of conduct that can be used as a starting point to develop their own Code of Conduct.
- This model Code of Conduct may also be useful for councils or boards who already have a Code of Conduct in place, but wish to review or refresh the document following the 2018 general local elections.
- The Working Group on Responsible Conduct has also developed a "Companion Guide" to accompany this document that provides discussion questions, things to keep in mind, and other tips to facilitate a council or board's conversation in developing a Code of Conduct.
- The general standards of conduct set out in this model Code of Conduct reflect the foundational principles of integrity, respect, accountability, and leadership and collaboration.<sup>1</sup> Every Code of Conduct should be built on these key foundational principles.
- Councils or boards may choose to customize and expand on the general standards of conduct provided in this model Code of Conduct by:
  - Adding examples of specific behaviours or other details to further elaborate on the standards of conduct that are provided;
  - Including additional standards of conduct that address topics of importance to the council or board and which are not directly dealt with by the standards of conduct already provided; and/or
  - Incorporating, referencing or attaching other policies that are generally related to responsible conduct (such as social media policies), where a council or board feels it is appropriate.

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<sup>1</sup> The Working Group on Responsible Conduct identified four foundational principles that can be used to guide the conduct of local elected officials in B.C. More information about these principles can be found [here](#).

## **What are some considerations in developing and using a Code of Conduct?**

- In developing a Code of Conduct, council or board members should consider not just the content of the Code of Conduct, but also how to make it meaningful for members, both as individuals and as a collective decision-making body. While there is no 'right' way to develop and use a Code of Conduct, councils or boards should consider the following to maximize the effectiveness of their Code of Conduct:
  - *Don't overlook the importance of the process when developing and adopting a Code of Conduct:* How a Code of Conduct is developed and adopted matters; providing opportunities for council or board members to discuss the language and content of the Code of Conduct and how it can best be customized to meet the needs of the council or board, and individual members, is important to ensure its effectiveness. Discussing shared expectations as a part of the orientation process for newly elected officials, or including the Code of Conduct as an outcome of a strategic planning process (with dedicated follow-up opportunities for development) could be good ways of ensuring a Code of Conduct is adopted in a meaningful way.
  - *Make the Code of Conduct meaningful:* Finding ways to integrate the Code of Conduct into the council or board's ongoing governance will help ensure that it remains a relevant and effective living document. For instance, some councils or boards may choose to refer to the Code of Conduct at every meeting; others may have a copy included in every agenda package or framed on the wall in the meeting room or placed on the desk of each elected official as a regular point of reference.
  - *Make sure the Code of Conduct is consistent with existing laws and policies:* Council or board members may include a variety of topics in their Code of Conduct. Where existing laws or policies deal with topics they choose to include in their Code of Conduct (i.e. privacy legislation; Human Resources policies; etc.), they must ensure that their Code of Conduct is consistent with those laws and policies.
  - *Offer ongoing advice, education and support:* A council or board will also want to consider how members can best be supported in working with their Code of Conduct. This could include, for example, general education around the purpose of Codes of Conduct, opportunities for members to receive specific advice on how the Code of Conduct should be interpreted and applied, as well as other ongoing opportunities for support and education – for example, orientation when new members join the council or board or regular debriefings following council or board meetings to discuss how effectively the Code of Conduct guided the discussion.
  - *Revisit it regularly:* Council or board members should approach their Code of Conduct as a living document to be reviewed and amended from time to time, to ensure that it remains a relevant and effective tool.

## MODEL CODE OF CONDUCT<sup>2</sup>

### A. INTRODUCTION

As local elected representatives (“members”), we recognize that responsible conduct is essential to providing good governance for the [city / municipality / regional district / district] of [name of local government].

We further recognize that responsible conduct is based on the foundational principles of integrity, accountability, respect, and leadership and collaboration.

In order to fulfill our obligations and discharge our duties, we are required to conduct ourselves to the highest ethical standards by being an active participant in ensuring that these foundational principles, and the standards of conduct set out below, are followed in all of our dealings with every person, including those with other members, staff, and the public.

### B. HOW TO APPLY AND INTERPRET THIS CODE OF CONDUCT

This Code of Conduct applies to the members of [city / municipality / regional district / district] of [name of local government]. It is each member’s individual responsibility to uphold both the letter and the spirit of this Code of Conduct in their dealings with other members, staff, and the public.

Elected officials must conduct themselves in accordance with the law. This Code of Conduct is intended to be developed, interpreted and applied by members in a manner that is consistent with all applicable Federal and Provincial Laws, as well as the bylaws and policies of the local government, the common law and any other legal obligations which apply to members individually or as a collective council or board.

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<sup>2</sup> Some sections of this Code of Conduct include additional information in a shaded box. This information is for guidance and context only, and is not intended to be included in a local government’s Code of Conduct.

## **C. FOUNDATIONAL PRINCIPLES OF RESPONSIBLE CONDUCT**

### ***Information about the Foundational Principles:***

*The foundational principles of integrity, respect, accountability and leadership and collaboration have been identified by the Working Group on Responsible Conduct as being important to promoting and furthering responsible conduct and should be incorporated into every Code of Conduct.*

*A high-level definition of each foundational principle, along with a general description of the type of conduct that upholds each principle, is provided below. These principles are intended to provide members with a shared understanding of responsible conduct and guide them in fulfilling their roles and responsibilities both as individual elected officials and as a collective council or board. Key standards of conduct are set out in subsequent sections of this model Code of Conduct to provide specific examples of the types of conduct that demonstrate the foundational principles.*

*These four principles, in conjunction with the key standards of conduct, can be used as a guide for elected officials against which to assess their own conduct.*

1. ***Integrity*** – means being honest and demonstrating strong ethical principles. Conduct under this principle upholds the public interest, is truthful and honourable.
2. ***Respect*** – means having due regard for others’ perspectives, wishes and rights; it also means displaying deference to the offices of local government, and the role of local government in community decision making. Conduct under this principle is demonstrated when a member fosters an environment of trust by demonstrating due regard for the perspectives, wishes and rights of others and an understanding of the role of the local government.
3. ***Accountability*** – means an obligation and willingness to accept responsibility or to account for ones actions. Conduct under this principle is demonstrated when council or board members, individually and collectively, accept responsibility for their actions and decisions.
4. ***Leadership and Collaboration*** – means an ability to lead, listen to, and positively influence others; it also means coming together to create or meet a common goal through collective efforts. Conduct under this principle is demonstrated when a council or board member encourages individuals to work together in pursuit of collective objectives by leading, listening to, and positively influencing others.

## **D. OPTIONAL: VALUE STATEMENTS**

### ***Information about including Value Statements:***

*A council or board may wish to customize their Code of Conduct to include 'value statements'. These are high-level statements that identify the values that the council or board consider important and feels should be included for context in their Code of Conduct.*

*A council or board may find the "Companion Guide" to this Code of Conduct useful as they consider how 'value statements' may be incorporated into their own Code of Conduct.*

## **E. STANDARDS OF CONDUCT**

### ***Information about the Standards of Conduct:***

*The following section provides general standards of conduct that reflect the foundational principles identified above. A council or board can customize their Code of Conduct by including additional standards of conduct, or by expanding on existing standards of conduct to more clearly demonstrate how a member can exemplify responsible conduct.*

*A council or board may find the "Companion Guide" to this Code of Conduct useful as they consider how these general standards of conduct may be customized to best fit their needs.*

***Integrity:*** Integrity is demonstrated by the following conduct:

- Members will be truthful, honest, and open in all dealings, including those with other members, staff and the public.
- Members will ensure that their actions are consistent with the shared principles and values collectively agreed to by the council or board.
- Members will follow through on their commitments, correct errors in a timely and transparent manner, and engage in positive communication with the community.
- Members will direct their minds to the merits of the decisions before them, ensuring that they act on the basis of relevant information and principles and in consideration of the consequences of those decisions.
- Members will behave in a manner that promotes public confidence in all of their dealings.

**Respect:** Respect is demonstrated through the following conduct:

- Members will treat every person with dignity, understanding, and respect.
- Members will show consideration for every person's values, beliefs, and contributions to discussions.
- Members will demonstrate awareness of their own conduct, and consider how their words or actions may be perceived as offensive or demeaning.
- Members will not engage in behaviour that is indecent, insulting or abusive. This behaviour includes unwanted physical contact, or other aggressive actions that may cause any person harm or makes them feel threatened.

**Accountability:** Accountability is demonstrated through the following conduct:

- Members will be responsible for the decisions that they make and be accountable for their own actions and the actions of the collective council or board.
- Members will listen to and consider the opinions and needs of the community in all decision-making, and allow for appropriate opportunities for discourse and feedback.
- Members will carry out their duties in an open and transparent manner so that the public can understand the process and rationale used to reach decisions and the reasons for taking certain actions.

**Leadership and Collaboration:** Leadership and collaboration is demonstrated through the following conduct:

- Members will behave in a manner that builds public trust and confidence in the local government.
- Members will consider the issues before them and make decisions as a collective body. As such, members will actively participate in debate about the merits of a decision, but once a decision has been made, all members will recognize the democratic majority, ideally acknowledging its rationale, when articulating their opinions on a decision.
- Members will recognize that debate is an essential part of the democratic process and encourage constructive discourse while empowering other members and staff to provide their perspectives on relevant issues.

- As leaders of their communities, members will calmly face challenges, and provide considered direction on issues they face as part of their roles and responsibilities while empowering their colleagues and staff to do the same.
- Members will recognize, respect and value the distinct roles and responsibilities others play in providing good governance and commit to fostering a positive working relationship with and among other members, staff, and the public.
- Members will recognize the importance of the role of the chair of meetings, and treat that person with respect at all times.

## **F. OPTIONAL: ADDITIONAL POLICIES**

### ***Information about including Additional Policies:***

*A council or board may choose to include additional policies as part of their Code of Conduct. These additional policies may be useful in addressing matters of importance that require deeper attention or that are connected to the four foundational principles. Some examples of the types of policies that a council or board could include are provided below.*

*A council or board may want to consult the “Companion Guide” for tips and resources for including additional policies (e.g. examples of social media policies from particular local governments).*

### **Policies About Communications**

- *Use of social media by members.*
- *How members communicate as representatives of the local government.*

### **Policies About Personal Interaction**

- *Interactions between members and others, such as the public, staff, bodies appointed by the local government, and other governments and agencies (e.g. respectful workplace policies).*
- *Roles and responsibilities of staff and elected officials.*

### **Policies About How Information is Handled**

- *Proper handling and use of information, including information which is confidential or otherwise protected and is made available to members in the conduct of their responsibilities.*
- *Retention and destruction of records.*
- *How and when information that was relevant to the decision making process is made publicly available.*

### **Policies About Other Matters**

- *Creation, use, and retention of the local government’s intellectual property.*
- *Personal use of local government resources.*
- *Receipt of gifts and personal benefits by members.*
- *Provision of remuneration, expenses or benefits to members in relation to their duties as members.*



## COMPANION GUIDE

# Getting Started on a Code of Conduct for Your Council / Board

August 2018

*Produced by the Working Group on Responsible Conduct*

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## What is Responsible Conduct?

Responsible conduct is grounded in conducting oneself according to principles such as honesty and integrity, and in a way that furthers a local government's ability to provide good governance to their community

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## Keep in mind...

before thinking about the content of your Code of Conduct, ensure that everyone is on the same page about what you want to achieve and how you want to get there. Agreeing on the objectives and the process upfront will help make the Code of Conduct more meaningful and successful

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## Introduction

The Working Group on Responsible Conduct has developed a model Code of Conduct that can be used as a starting point by local government councils/boards to develop their own customized Code of Conduct.

This companion guide provides discussion questions, things to keep in mind, and other helpful tips and resources to facilitate a council/board's conversation in developing their own Code of Conduct. This guide is also useful for councils/boards that already have a Code of Conduct in place, but may want to review or refresh it following the 2018 general local elections.

## What is a Code of Conduct?

A Code of Conduct is a written document that sets shared expectations for conduct or behaviour. A council/board can adopt a Code of Conduct to establish expectations for how members should conduct themselves while carrying out their responsibilities, and in their work as a collective decision-making body for their community.

Responsible conduct of elected officials is not optional; it is essential to good governance. A Code of Conduct is one tool that can be used by a local government council/board to promote or further responsible conduct.

## Before you get Started

Before you discuss the content of your Code of Conduct, it is important to ensure that all council/board members understand the purpose of embarking on the development of a Code of Conduct, have clear expectations about what the Code of Conduct will and will not do, and that there is consensus on the process for developing it.

Ensuring that everyone is on the same page before diving into the details of your Code of Conduct will help make the development process easier and the Code of Conduct more meaningful. Ask yourselves:

- Q Why is developing a Code of Conduct important to us?
- Q What are our key objectives in developing a Code of Conduct?
- Q Do we each understand the role of a Code of Conduct (i.e. that it is in addition to, not instead of, legal rules and local government policies)?
- Q What kind of process do we want to undertake to develop our Code of Conduct? Do we want to do this ourselves, with staff or get assistance from a facilitator or other consultant?
- Q Would we benefit from training or education about responsible conduct or Codes of Conduct generally before we get started on developing our own?

★ **TIP:** It may take multiple sessions and a variety of approaches to develop a Code of Conduct that works for you – don't feel you have to get it done in one sitting or using any one particular method.

**Keep in mind...**

that elected officials must always conduct themselves in accordance with the law – this includes rules set out in local government legislation and other legislation, such as human rights rules. Ensure that your Code of Conduct is consistent with existing laws and policies

**Keep in mind...**

that a Code of Conduct does not need to be complex or elaborate – it simply needs to spell out the standards your council/board feels are important to be commonly understood

## Setting the Scope

Developing a Code of Conduct requires consideration about its scope, including who it applies to and in what capacity. For example, the model Code of Conduct prepared by the Working Group on Responsible Conduct is intended to apply to local elected officials.

When thinking about the scope and application of your Code of Conduct, ask yourselves:

- Q Other than the elected members of your council/board, will the Code of Conduct apply to anyone else over which the local government has authority (e.g. senior staff)? If it includes staff, how will that work with existing policies and laws (e.g. employment contracts, collective agreements, workplace laws/policies)?
- Q Will the Code of Conduct apply to any or all of your local government committees and/or commissions? If so, are there specific considerations, limitations or criteria on how the Code of Conduct will apply to these bodies?
- Q Will the Code of Conduct apply to elected members in carrying out all of their roles and responsibilities in all circumstances (e.g. when an elected official sits on an advisory committee with members of the public and others not covered by a council/board's Code of Conduct)?

★ **TIP:** Make sure the scope of your Code of Conduct aligns with the objectives you initially identified for developing a Code of Conduct. The broader the scope of the Code of Conduct, the more difficult it may be to implement and put into practice.

## Thinking about Principles & Values

The model Code of Conduct developed by the Working Group on Responsible Conduct is built on four key foundational principles – *integrity, respect, accountability, and leadership and collaboration*. At a minimum, every Code of Conduct should incorporate these four principles, but your council/board may want to build on these principles and provide more context regarding the values and objectives underlying the Code of Conduct. Ask yourselves:

- Q Are there additional principles that are fundamentally important to our council/board (e.g. openness; impartiality; transparency)? If so, what are they and how are they defined? Should they be included in our Code of Conduct?
- Q Are there particular values that are important to us that should be explicitly articulated as value statements in our Code of Conduct (e.g. “we practice high standards of ethical behaviour and conduct our decision-making in an open and transparent way to inspire trust”; “we strive for continuous improvement”)?
- Q Are there principles in our Code of Conduct that we want to include in other policies or procedures to ensure our expectations for conduct are consistent (e.g. ensure any principles set out in the procedure bylaw are consistent with principles set out in the Code of Conduct)?

★ **TIP:** Use clear, concise language that can be easily understood by everyone at all levels of the organization, as well as the public.

## Setting Standards of Conduct

The model Code of Conduct developed by the Working Group on Responsible Conduct sets out a range of standards of conduct that reflect the four key foundational principles. Because these are broadly applicable, they are necessarily written as general statements.

Your council/board can customize by adding other standards, expanding on the ones provided or by providing specific statements or examples of expected behaviour. Ask yourselves:

- Q Are there specific behaviours that should be identified and encouraged under our Code of Conduct? For example:
- o members should listen courteously and attentively to all discussions at the council/board meeting, and focus on the business at hand
  - o members must make every effort to show up to all meetings on time and well prepared to take an active role in the business at hand
  - o members should always consider the impact that their choice of language may have on other individuals
- Q Are there specific behaviors that should be identified and discouraged under our Code of Conduct? For instance:
- o members must not interrupt each other during a meeting, including by talking over another person
  - o members must not engage in specific physical actions or language, such as shaking a fist, eye rolling, turning their back to people who are speaking, making faces, pointing aggressively, using curse words, or making comments about a person's appearance
  - o members must stop talking and pay attention when the chair is talking or seeking order
- ★ **TIP:** No Code of Conduct will capture every situation that may arise. Consider which standards of conduct matter the most to your council/board now and incorporate additional standards as needed.
- ★ **TIP:** Look at other published Codes of Conduct for ideas you feel may be appropriate for your council/board's Code of Conduct (see "*List of Resources & Helpful Links*" section of this guide).
- ★ **TIP:** Ensure that your standards of conduct are clear and easy to interpret (e.g. any member should be able to see whether they are or are not meeting the standard).

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### ***Keep in mind...***

that it is important to balance rules about appropriate conduct (including language, communication and other physical actions) with the importance of open discourse that is necessary for governing bodies

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### ***Keep in mind...***

that achieving consensus at the council/board table about the content of the Code of Conduct may be challenging, but having these difficult conversations is an important part of developing a meaningful Code of Conduct

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## Incorporating other Policies

Local governments are likely to have a range of existing policies on a number of topics, from communications to information management to human resources. A Code of Conduct may be a useful place to connect to some of these policies. Ask yourselves:

- Q What existing policies do we already have that could be referenced in our Code of Conduct (e.g. respectful workplace policy; use of social media; handling of information; gifts and personal benefits)?
- Q Are there any existing policies that need to be updated to reflect or reference the Code of Conduct?
- ★ **TIP:** You do not need to replicate all of your organization's existing policies in a Code of Conduct. Key policies can simply be referenced where appropriate, throughout your Code of Conduct.

## Adopting and Publishing your Code of Conduct

Once you have come to a consensus on the content of your Code of Conduct, ask yourselves:

- Q How will we try to ensure that all members are comfortable with a Code of Conduct that is adopted? What can we do if some members disagree with the Code of Conduct?
- Q Should each council/board member formally commit to the Code of Conduct in some way? What would this look like (e.g. each member signs the document)?
- Q How are we going to communicate or present the Code of Conduct to staff, the public and others? Should it be on our website? How else can we make it known?
- ★ **TIP:** Make sure your Code of Conduct is easily accessible by everyone in the organization, as well as the public.

## Putting the Code of Conduct into Action

Finding ways to integrate the Code of Conduct into your ongoing governance will help ensure that it remains a relevant and effective 'living' document. Consider how you will maintain, use and keep your Code by Conduct 'alive' and meaningful by asking yourselves:

- Q How will we use and refer to the Code of Conduct (e.g. by including it in every agenda package? Displaying it on the wall? Framing it on every member's desk?)?
- Q Should there be education or any other supports for our council/board members or employees about the Code of Conduct (e.g. at a set time such as the start of every term)? How will new members be oriented to it (e.g. after a by-election)?
- Q How do we know that that the Code of Conduct is working for us? How will we review and evaluate the Code of Conduct (e.g. when/how often should we review it? Should there be a set process for reviews? How will changes be incorporated?)?
- ★ **TIP:** It may be useful to establish a process for feedback on the Code of Conduct to ensure that when a review happens, all of the relevant feedback is readily available and can be considered.

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### **Keep in mind...**

that if it is challenging to achieve consensus at adoption or any other stage of the development process – don't be afraid to seek out a facilitator or another consultant

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### **Keep in mind...**

that making your Code of Conduct accessible, transparent and available to the public will help build public confidence and demonstrate a commitment to good governance

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### **Keep in mind...**

that your Code of Conduct is not 'set in stone'; it can be revisited and reviewed regularly

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## List of Resources & Helpful Links

### WORKING GROUP ON RESPONSIBLE CONDUCT RESOURCES

#### **Model Code of Conduct**

[http://www.ubcm.ca/assets/Resolutions~and~Policy/Policy/Governance/Working~Group~on~Responsible~Conduct/MODEL\\_CODE\\_OF\\_CONDUCT\\_Aug2018\\_FINAL.pdf](http://www.ubcm.ca/assets/Resolutions~and~Policy/Policy/Governance/Working~Group~on~Responsible~Conduct/MODEL_CODE_OF_CONDUCT_Aug2018_FINAL.pdf)

#### **Responsible Conduct of Local Elected Officials Website (Policy Paper; Foundational Principles Brochure)**

<https://www2.gov.bc.ca/gov/content/governments/local-governments/governance-powers/conduct-of-locally-elected-officials/responsible-conduct>

#### **Responsible Conduct of Local Elected Officials – Consultation Paper (March 2017)**

[http://www.ubcm.ca/assets/Resolutions~and~Policy/Policy/Governance/Working~Group~on~Responsible~Conduct/ResponsibleConductLocalGovtElectedOfficials\\_Consultation\\_Paper\\_March302017.pdf](http://www.ubcm.ca/assets/Resolutions~and~Policy/Policy/Governance/Working~Group~on~Responsible~Conduct/ResponsibleConductLocalGovtElectedOfficials_Consultation_Paper_March302017.pdf)

### EXAMPLES OF LOCAL GOVERNMENT CODES OF CONDUCT (BC)

#### **District of Sparwood**

<https://sparwood.civicweb.net/document/67075>

#### **District of Saanich**

<http://www.saanich.ca/assets/Local~Government/Documents/Bylaws~and~Policies/code-of-conduct-nov-2016.pdf>

#### **City of Vancouver**

<http://vancouver.ca/files/cov/boards-committees-code-of-conduct.pdf>

#### **District of Sooke**

<https://sooke.civicweb.net/document/11215>

#### **City of Prince George**

[https://www.princegeorge.ca/City%20Hall/Documents/Mayor%20and%20Council/Council\\_Code\\_of\\_Conduct.pdf](https://www.princegeorge.ca/City%20Hall/Documents/Mayor%20and%20Council/Council_Code_of_Conduct.pdf)

#### **District of North Vancouver**

<http://app.dnv.org/OpenDocument/Default.aspx?docNum=2611131>

#### **Cariboo Regional District**

<http://bouchielakerec.ca/wp-content/uploads/2013/03/Code-of-Conduct-and-Ethics-FINAL-CRD-Board.pdf>

#### **Regional District of Central Okanagan**

[https://www.regionaldistrict.com/media/201242/Code\\_of\\_Conduct.pdf](https://www.regionaldistrict.com/media/201242/Code_of_Conduct.pdf)

### RESOURCES ABOUT ROLES AND RESPONSIBILITIES

#### **City of Port Moody (sample policy)**

<http://www.portmoody.ca/modules/showdocument.aspx?documentid=1513>

#### **City of Maple Ridge (orientation manual)**

<http://www.mapleridge.ca/DocumentCenter/View/4526/Council-Orientation-Manual-2014>

### RESOURCES ABOUT SOCIAL MEDIA POLICIES

#### **Social Media Resource Guide (Alberta Urban Municipalities Association)**

[https://www.auma.ca/sites/default/files/Advocacy/Programs\\_Initiatives/citizen\\_engagement/social\\_media\\_resource\\_guide.pdf](https://www.auma.ca/sites/default/files/Advocacy/Programs_Initiatives/citizen_engagement/social_media_resource_guide.pdf)  
[Note: page 26 pertains to Elected Officials and Social Media Policy]

#### **City of Pitt Meadows (sample policy)**

<http://www.pittmeadows.bc.ca/assets/Policies/C074-Council%20Social%20Media-Reaffirmed.pdf>

#### **City of Maple Ridge (sample policy)**

[http://www.mapleridge.ca/DocumentCenter/View/1367/social\\_media\\_policy\\_3010?bidId](http://www.mapleridge.ca/DocumentCenter/View/1367/social_media_policy_3010?bidId)

#### **City of Leduc (sample policy)**

<https://www.leduc.ca/sites/default/files/2014-11-17%20Public%20CoW%20Agenda%20Item%2006b%20-%20Social%20Media%20Policy%20%28Distributed%20Under%20Separate%20Cover%29.pdf>

#### **City of Guelph (sample policy)**

<http://guelph.ca/news/social-media/social-media-principles-and-guidelines-for-elected-officials/>

### RESOURCES ABOUT HARASSMENT / HUMAN RIGHTS

#### **City of Vancouver: Human Rights & Harassment policy**

<https://policy.vancouver.ca/AE00205.pdf>

#### **City of Richmond: Respectful Workplace Policy**

[https://www.richmond.ca/\\_shared/assets/Respectful\\_Workplace\\_Policy22820.pdf](https://www.richmond.ca/_shared/assets/Respectful_Workplace_Policy22820.pdf)

#### **District of Sooke: Anti-bullying Policy**

<https://sooke.civicweb.net/document/11213>

### RESOURCES ABOUT PRIVACY & HOW INFORMATION IS HANDLED

#### **Privacy Management (Office of the Information & Privacy Commissioner)**

<https://www.oipc.bc.ca/guidance-documents/1545>

#### **District of Saanich (sample privacy management policy)**

<http://www.saanich.ca/assets/Local~Government/Documents/Bylaws~and~Policies/privacy-management-may-2017.pdf>

Produced by the Working Group on Responsible Conduct



**District of Saanich  
Code of Conduct**

**COUNCIL POLICY**

<b>NAME:</b>	<b>CODE OF CONDUCT</b>	
<b>ISSUED:</b>	November 28, 2016	<b>INDEX REFERENCE:</b>
<b>AMENDED:</b>		<b>COUNCIL REFERENCE: 16/CNCL</b>

**PURPOSE:**

To set minimum expectations for the behaviour of Council officials in carrying out their functions.

**SCOPE:**

All Council officials and the Chief Administrative Officer.

**DEFINITIONS:**

**Advisory Body Member:** a person sitting on an advisory committee, task force, commission, board, or other Council-established body.

**Confidential Information:** Confidential Information includes information that could reasonably harm the interests of individuals or organizations, including the District of Saanich, if disclosed to persons who are not authorized to access the information, as well as information to which section 117 of the *Community Charter* applies.

**Council official:** the Mayor and Council members

**Personal Information:** has the same meaning as in the *Freedom of Information and Protection of Privacy Act*

**Staff:** an employee or contract employee of the District of Saanich, and includes staff that supports Advisory Bodies.

**Municipal Officer:** a member of staff designated as an officer under section 146 of the *Community Charter* or a bylaw under that section.

**INTERPRETATION:**

- (a) In this policy, a reference to a person who holds an office includes a reference to the persons appointed as deputy or appointed to act for that person from time to time.
- (b) This Code of Conduct applies to the use of social media by Council officials in relation to District related matters.

**POLICY STATEMENTS:****1. Key Principles**

- 1.1. **Integrity:** Council officials are keepers of the public trust and must uphold the highest standards of ethical behaviour. Council officials are expected to:
  - make decisions that benefit the community;
  - act lawfully and within the authorities of the *Community Charter, Local Government Act* and other applicable enactments; and
  - 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.
- 1.2. **Accountability:** Council officials are obligated to answer for the responsibility that has been entrusted to them. They are responsible for decisions that they make. This responsibility includes acts of commission and acts of omission. In turn, decision-making processes must be transparent and subject to public scrutiny; proper records must be kept.
- 1.3. **Leadership:** Council officials must demonstrate and promote the key principles of the Code of Conduct through their decisions, actions and behaviour. Their behaviour must build and inspire the public's trust and confidence in local government. Council officials will provide leadership to District staff through the Chief Administrative Officer.
- 1.4. **Respect:** Council officials must conduct public business efficiently and with decorum. They must treat each other and others with respect at all times. This means not using derogatory language towards others, respecting the rights of other people, treating people with courtesy and recognition of the different roles others play in local government decision making.
- 1.5. **Openness:** Council officials have a duty to be as open as possible about their decisions and actions. This means communicating appropriate information openly to the public about decision-making processes and issues being considered; encouraging appropriate public participation; communicating clearly; and providing appropriate means for recourse and feedback.

**2. General Conduct**

- 2.1. Council officials must adhere to the key principles and provisions of the Code of Conduct.

- 2.2. Council officials must act lawfully and within the authorities of the *Community Charter, Local Government Act* and other applicable enactments and exercise a reasonable degree of care and diligence in carrying out their functions.
- 2.3. Council officials have an obligation to consider issues and exercise powers, duties and functions in a manner that avoids arbitrary and unreasonable decisions.
- 2.4. Council officials must avoid behaviour that could constitute an act of disorder or misbehaviour. Specifically, Council officials must avoid conduct that:
  - contravenes this policy;
  - contravenes the law, including the *BC Human Rights Code*, and other enactments, and District Bylaws; and
  - is an abuse of power or otherwise amounts to improper discrimination, intimidation, harassment or verbal abuse of others.

### **3. Collection and Handling of Information**

- 3.1. Council officials must:
  - Collect and use personal information in accordance with *Freedom of Information and Protection of Privacy Act* legislation and the policies and guidelines as established in Saanich;
  - Protect information that is specifically marked confidential, that is Personal Information and other material identified or understood to be confidential in nature;
  - Refrain from discussing or disclosing any Confidential Information with or to Staff, or with persons outside the organization except as authorized;
  - Refrain from discussing or disclosing any Personal Information with or to other Council Officials, Staff, or with persons outside the organization except in a manner consistent with the duty to protect Personal Information under the *Freedom of Information and Protection of Privacy Act*.
  - Take reasonable care to prevent the examination of confidential material or access to Personal Information by unauthorized individuals;



- 
- Not use Confidential Information except for the purpose for which it is intended to be used;
  - Only release information in accordance with established District policies and procedures and in compliance with the *Freedom of Information and Protection of Privacy Act* (British Columbia);
  - Not disclose decisions, resolutions or report contents forming part of the agenda for or from an in-camera meeting of Council until a corporate decision has been made for the information to become public; and
  - Not disclose details on Council's in-camera deliberations or specific detail on whether individual Councillors voted for or against an issue.
- 3.2. Except in the normal course of duties, Council officials must not in any way change or alter District records or documents.
- 3.3. When dealing with Personal Information, Council officials must comply fully with the provisions of the *Freedom of Information and Protection of Privacy Act*. All reasonable and necessary measures must be taken to ensure that the personal or private business information of individuals is protected. Personal information includes information or an opinion about a person whose identity is apparent, or can be determined from the information or opinion.

#### **4. Conflict of Interest**

- 4.1. Council officials are expected to make decisions that benefit the community. 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.
- 4.2. Council officials must appropriately resolve any conflict or incompatibility between their personal interests and the impartial performance of their duties in accordance with statutory requirements of the *Community Charter*.

#### **5. Interactions of Council officials with Staff and Advisory Body Members**

- 5.1. Council is the governing body of the District of Saanich. It has the responsibility to govern the District in accordance with the *Community Charter* and other legislation.
- 5.2. The Mayor is the head and chief executive officer of the District and has a statutory responsibility to provide leadership to the Council and to provide general direction to municipal officers respecting the municipal policies, programs and other directions of the council as set out in the *Community Charter*.

- 5.3. Council officials are to contact staff including Municipal Officers, according to the procedures authorized by Council and the District Chief Administrative Officer regarding the interaction of Council members and staff. As a general principle, the District adopts the one employee model where Council's point of contact with staff is the Chief Administrative Officer.
- 5.4. Council officials are to direct inquiries regarding departmental issues or questions to the District's Chief Administrative Officer or the Department Head (Director) of the appropriate department and refrain from contacting other staff without first discussing the issue with the Department Head.
- 5.5. Advice to Council from staff will be vetted, approved and signed by the Chief Administrative Officer.
- 5.6. Council officials will invite the Chief Administrative Officer to be present at any meeting between a Council official and a member of staff where such attendance is requested by the staff member.
- 5.7. Council officials are not to issue instructions to any of the District's contractors, tenderers, consultants or other service providers.
- 5.8. Council officials must not make public statements attacking or disparaging staff or Advisory Body Members and shall show respect for the professional capacities of staff. Council officials must not involve staff in matters for political purposes.
- 5.9. Council officials must not publish or report information or make statements attacking or reflecting negatively on staff or Advisory Body Members except to the Chief Administrative Officer as appropriate to bring a complaint to the attention of the Chief Administrative Officer for follow up.
- 5.10. Significant information provided to any member of Council, which is likely to be used in Council or in political debate, should also be provided to all other Council members, and to the Chief Administrative Officer.
- 5.11. Council officials must treat members of the public, other Council officials, Advisory Body Members and staff appropriately, and without bullying, abuse or intimidation in order to preserve a workplace free from harassment.

**6. Council Officials Use of Social Media**

- 6.1. It is not the role of individual Council officials to report directly on District related business. Council officials will use caution in reporting decision-making by way of their social media profiles and websites prior to official communication by the District.
- 6.2. Council officials will include an "in my opinion", or similar disclaimer, either within the banner of their individual social media site(s) or separately when making follow up posts to the District's social media postings and when creating original posts pertaining to District related business.
- 6.3. Council officials will refrain from using or permitting use of their social media accounts for purposes that include:
  - defamatory remarks, obscenities, profane language or sexual content;
  - negative statements disparaging staff or calling into question the professional capabilities of staff;
  - content that endorses, promotes, or perpetuates discrimination or mistreatment on the basis of race, religion or belief, age, gender, marital status, national origin, physical or mental disability or sexual orientation;
  - statements that indicate an actual attitudinal bias in relation to a matter that is to be the subject of a statutory or other public hearing;
  - promotion of illegal activity;
  - information that may compromise the safety or security of the public or public systems.
- 6.4. Council officials must regularly monitor their social media accounts and immediately take measures to deal with the publication of messages or postings by others that violate this Code of Conduct.

**7. Interactions with the Public and the Media**

- 7.1. Council officials will accurately communicate the decisions of the Council, even if they disagree with the majority decision of Council, and by so doing affirm the respect for and integrity in the decision-making processes of Council.

- 7.2. When discussing the fact that he/she did not support a decision, or voted against the decision, or that another Council official did not support a decision or voted against a decision, a Council official will refrain from making disparaging comments about other Council officials or about Council's processes and decisions.

## 8. Gifts and Personal Benefits

The receipt and reporting of gifts and personal benefits is dealt with under sections 105 and 106 of the *Community Charter*. Ultimately, the interpretation of those sections is a matter for the courts. However, the general language used in those sections creates some level of uncertainty and this Code of Conduct is intended to provide some guidance to Council officials.

### 8.1. What are Gifts and Personal Benefits?

- 8.1.1. Gifts and personal benefits are items or services of value that are received by Council officials for personal use. These would include, but are not limited to, cash, gift cards, tickets to events, items of clothing, jewellery, pens, food or beverages, discounts or rebates on purchases, free or subsidized drinks or meals, entertainment, invitations to social functions, etc.

8.1.2. The following are not to be considered gifts or personal benefits:

- Compensation authorized by law (see section 105(2)(b) of the *Community Charter*).
- Reimbursement for out of pocket costs incurred for authorized travel, living and accommodation expenses associated with attendance at an event or in connection with an authorized travel.
- A lawful contribution made to a Council member who is a candidate for election conducted under the *Local Government Act*.

### 8.2. What Gifts and Personal Benefits may be Accepted?

- 8.2.1. Section 105(1) of the *Community Charter* prohibits Council officials from directly or indirectly accepting a fee, gift or personal benefit connected with the official's performance of the duties of office.

- 8.2.2. In accordance with section 105(2), a Council official may accept gifts and personal benefits received as an incident of the protocol or social obligations that normally accompany the responsibilities of elected office.

- 8.2.3. Gifts and personal benefits received in accordance with section 105(2)(a) of the *Community Charter* as referenced in section 8.2.2 must be reported and disclosed in accordance with section 106 to the Corporate Officer.
- 8.2.4. Where a gift or personal benefit that may be accepted under the *Community Charter* has a value in excess of \$100.00, the Council official who receives the gift will do so on behalf of the District and turn over the gift to the District, except as otherwise permitted by Council.
- 8.2.5. Council officials must not accept a gift or personal benefit that could reasonably be expected to result in a real or perceived conflict of interest, and to assist in avoiding that situation, Council officials will not accept gifts or personal benefits from business or commercial enterprises having a value that exceeds \$50.00 or, where the total value of such gifts and benefits, received directly or indirectly from one source in any twelve (12) month period, would exceed \$250.00.

### 8.3. How Must Gifts and Personal Benefits be Reported?

- 8.3.1. Council officials must disclose to the Corporate Officer gifts and personal benefits in accordance with section 106 of the *Community Charter*.
- 8.3.2. If a Council official receives a gift or personal benefit that they do not wish to accept, regardless of value, they may immediately relinquish the gift or personal benefit to the District, in which case a disclosure form would not be required. If the gift or personal benefit is not immediately relinquished to the District, then the Council official must file a disclosure form.
- 8.3.3. The content of the disclosure must comply with section 106(2) of the *Community Charter* and must be filed "as soon as reasonably practicable".
- 8.3.4. It is the responsibility of Council officials to be familiar with the provisions in the *Community Charter* relating to acceptance and disclosure of gifts and to ensure that they comply with these requirements as contemplated by the statute.

8.4. How are Gifts and Personal Benefits Valued?

- 8.4.1. For the purposes of this Code, the value of each gift or personal benefit shall be determined by its replacement cost, i.e., how much it would cost to replace the item?

8.5. Procedure for Dealing with Relinquished Gifts and Personal Benefits

- 8.5.1. Where a gift or personal benefit with value that exceeds \$50 is relinquished to the District, the Corporate Officer will record the receipt of the item, nature of the gift or personal benefit, source (including the addresses of at least two individuals who are directors, when the gift is provided by a corporation, if available), when the gift was received, and the circumstances under which it was given and accepted.

**9. Breaches, Complaint Handling and Disciplinary Action**

**General**

- 9.1. Council officials are to abide by the requirements of the *Community Charter* and this Code of Conduct, and shall endeavour to resolve disputes in good faith, recognizing that interpersonal rancour does not facilitate good governance.

**Council Officials**

- 9.2. Alleged breaches of this Code of Conduct by Council Officials shall be submitted in a written complaint addressed to the Mayor and the Chief Administrative Officer within six (6) months of the last alleged breach. In the event that the Mayor is the subject of, or is implicated in the complaint, the complaint shall be addressed to the current Acting Mayor unless that individual is the subject of, or implicated in the complaint.
- 9.3. Upon receipt of a complaint under section 9.2, the Mayor, or Acting Mayor, and the Chief Administrative Officer shall, if they are not able to resolve the matter informally, within thirty (30) days, appoint an independent third party identified and agreed between the Complainant(s) and Respondent(s) as having the necessary professional skills, knowledge and experience to investigate the complaint (the "Third Party Investigator"). If the parties cannot agree on the choice of investigator, the nominee of the Complainant(s) and the Respondent(s) shall jointly select a suitable Third Party Investigator.

## 9.4. The Third Party Investigator:

- 9.4.1. May conduct a preliminary assessment of the complaint, at the conclusion of which the investigator may determine to continue the investigation or make a written recommendation that the complaint be dismissed as unfounded, beyond jurisdiction or unlikely to succeed;

If the Third Party Investigator determines to continue the complaint, the Third Party Investigator shall:

- 9.4.2. Conduct an independent and impartial investigation of the complaint in a manner that is fair, timely, confidential and otherwise accords with the principles of due process and natural justice;
- 9.4.3. Provide an investigation updated within ninety (90) days of his or her appointment to the Mayor or Acting Mayor, as applicable, and to the Complainant and the Respondent;
- 9.4.4. Provide a written, confidential report (the "Report") of the findings of the investigation, including findings as to whether there has been a breach of this Code of Conduct, to the Mayor or Acting Mayor, as applicable, and to the Complainant and the Respondent; and
- 9.4.5. Provide recommendations in the Report as to the appropriate resolution of the complaint, which recommendations may include:
- dismissal of the complaint; or
  - public censure of the Council Official or Officials for misbehaviour or a breach of this Code of Conduct;
  - a recommendation that a Council Official or Officials apologize to any person adversely affected by a breach of this Code of Conduct;
  - counselling of a Council Official or Officials; and/or
  - such other recommendations as are deemed appropriate in the professional judgment of the Third Party Investigator.

9.5. The Mayor or Acting Mayor shall consider whether the Report should be presented to Council.

9.6. The Corporate Officer will receive and retain all reports prepared under section 9.4.3 and 9.4.4.

- 9.7. Where a Council Official alleges a breach of this Code of Conduct by a fellow Council Official, all Council Officials shall refrain from commenting on such allegations at open meetings of Council pending the conclusion of the Report and any decision of Council on the Report.
- 9.8. Council Officials who retain legal counsel to represent them in proceedings under this section may request in writing that the District indemnify them for their reasonable costs of representation, in accordance with section 740 of the *Local Government Act*.



## Attachment 1

# CODE OF ETHICS

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For members of  
District of North Vancouver Council  
and Council Appointees to Boards,  
Committees, Commissions and Task Forces (“members”)

Adopted by the Council of the District of North Vancouver  
November 28, 2000

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## Preamble

The residents and businesses of the District of North Vancouver are entitled to have fair, honest and open local government that has earned the public's full confidence for integrity. In keeping with the District of North Vancouver's Governance Principles and Corporate Values as described in the Corporate Business Plan, the District seeks to maintain and enhance the quality of life for all District residents through effective, responsible and responsive government. To help achieve this goal, members have committed to strive to ensure that:

- public business is conducted with integrity, in a fair, honest and open manner;
- members respect one another, the public and staff and recognize the unique role and contribution each person has in making the District a better place to work and live;
- their conduct in the performance of their duties and responsibilities with the District be above reproach; and
- the decision-making processes be accessible, participatory, understandable, timely and just, in addition to the requirements of applicable enactments.

## Application of the Code

To this end, the Council of the District of North Vancouver has adopted a Code of Ethics applicable to members of Council and to any person appointed by Council to boards, committees, commissions, panels or task forces. Unless otherwise specified, “members” is intended to include both members of Council and committees. The bodies which Council can appoint members to are referred to collectively as “committees” in the Code.

### **1. Act in the Public Interest**

Recognizing that the District seeks to maintain and enhance the quality of life for all District residents through effective, responsive and responsible government, members will conduct their business with integrity, in a fair, honest and open manner.

### **2. Comply with the Law**

Members shall comply with all applicable federal, provincial, and local laws in the performance of their public duties. These laws include, but are not limited to: the *Constitution Act*; the *Provincial Human Rights Code*; the *Criminal Code*, the *Local Government Act*; *Community Charter*; laws pertaining to financial disclosures, and employer responsibilities; and relevant District bylaws and policies.

### **3. Conduct of Members**

The conduct of members in the performance of their duties and responsibilities with the District must be fair, open and honest. Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members of Council, committees, the staff or the public.

### **4. Respect for Process**

Members shall perform their duties in accordance with the policies and procedures and rules of order established by the District Council governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the Council by District staff. Members of committees shall be aware of the mandate of their respective committee, and act in accordance with it.

### **5. Conduct of Public Meetings**

Members shall prepare themselves for public meetings; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall not interrupt other speakers; make personal comments not germane to the business of the body; or otherwise disturb a meeting.

### **6. Decisions Based on Merit**

Members shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations.

### **7. Communication**

Subject to paragraph 10, members shall publicly share substantive information that is relevant to a matter under consideration by the Council or a committee, which they may have received from sources outside of the public decision-making process.

## **8. Conflict of Interest**

The Mayor and Councillors shall be aware of and act in accordance with Division 6 of the *Community Charter*, and shall fulfil part (c) of their *Oath of Office*. Other Members shall act in accordance with the Conflict of Interest provisions of Corporate Policy 1-0360-3.

## **9. Gifts and Favours**

Members shall not accept any money, property, position or favour of any kind whether to be received at the present or in the future, from a person having, or seeking to have dealings with the District, save for appropriate refreshments or meals, except where such a gift or favour is authorized by law, or where such gifts or favours are received as an incident of the protocol, social obligation or common business hospitality that accompany the duties and responsibilities of the member. A member may participate in District programs open to the public and may purchase District property or goods offered for public sale.

## **10. Confidential Information**

Members shall respect the confidentiality of information concerning the property, personnel or legal affairs of the District. They shall neither disclose confidential information without proper authorization, nor use such information to advance their personal, financial or other private interests.

## **11. Use of Public Resources**

Members shall not use public resources not available to the public in general, such as staff time, equipment, supplies or facilities, for private gain or personal purposes.

## **12. Advocacy**

Members shall represent the official policies or positions of the District Council or committee to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, members shall explicitly state they do not represent Council, their committee or the District of North Vancouver, nor will they allow the inference that they do.

## **13. Policy Role of Members**

Members shall respect and adhere to the council-Chief Administrative Officer structure of government as practiced in the District of North Vancouver. In this structure, the Council determines the policies of the District with the advice, information and analysis provided by the public, committees, and District staff.

Members, therefore, shall not interfere with the administrative functions of the District or with the professional duties of District staff; nor shall they impair the ability of staff to implement Council policy decisions.

#### **14. Positive Work Place Environment**

Members shall treat other members, the public and District staff with respect and shall be supportive of the personal dignity, self-esteem and well being of those with whom they come in contact with during the course of their professional duties. Members shall be aware of and act in accordance with the Positive Workplace Environment: Anti-bullying and Harassment Policy.

#### **15. Implementation**

The District of North Vancouver Code of Ethics is intended to be self-enforcing. Members should view the Code as a set of guidelines that express collectively the standards of conduct expected of them. It, therefore, becomes most effective when members are thoroughly familiar with the Code and embrace its provisions.

For this reason, the Code of Ethics will be provided to candidates for Council and applicants to committees. Members elected to Council or appointed to a committee will be requested to sign the Member Statement affirming they have read and understood the District of North Vancouver Code of Ethics. In addition, Council and committees shall review annually the Code of Ethics, and Council shall consider recommendations from committees and update the Code as necessary.

#### **16. Compliance and Enforcement**

The District of North Vancouver Code of Ethics expresses standards of ethical conduct expected for members of the District Council and committees. Members themselves have the primary responsibility to assure that these ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of the governance of the District of North Vancouver.

Council may impose sanctions on members whose conduct does not comply with the District's ethical standards, such as motion of censure. Council may also rescind the appointment of a member to a committee for breaching the Code of Ethics.

To ensure procedural and administrative fairness, a member who is accused of violating any provision of the Code of Ethics with the exception of paragraph 14 shall have a minimum of one week, or the time between two consecutive meetings, whichever is greater, to prepare his or her case to respond to these allegations. Before considering a sanction, Council must ensure that a member has

1. received a written copy of the case against him or her;
2. a minimum of one week, or the time between two consecutive meetings, whichever is greater, to prepare a defence against any allegations; and
3. an opportunity to be heard.

The procedures outlined in the Positive Workplace Environment: Anti-bullying and Harassment Policy have been adopted by Council for dealing with a complaint under the Positive Workplace Environment: Anti-bullying and Harassment Policy (see paragraph 14, above).

A violation of this Code of Ethics shall not be considered a basis for challenging the validity of a Council or committee decision.

\* \* \* \* \*

# MODEL OF EXCELLENCE

Council of the District of North Vancouver  
and Council Appointees to Boards,  
Committees, Commissions and Task Forces

## MEMBER STATEMENT

As a member of the District of North Vancouver Council or of a District committee, I agree to uphold the Code of Ethics adopted by the District and conduct myself by the following model of excellence. I will:

Recognize the diversity of backgrounds, interests and views in our community;

Help create an atmosphere of open and responsive government;

Conduct public affairs with integrity, in a fair, honest and open manner;

Respect one another and the unique role and contribution each of us has in making the District a better place to work and live;

Strive to keep the decision-making processes open, accessible, participatory, understandable, timely, just and fair;

Avoid and discourage conduct which is not in the best interests of the District;

Treat all people with whom I come in contact in the way I wish to be treated.

***I affirm that I have read and understood the District of North Vancouver Code of Ethics.***

Signature \_\_\_\_\_

Date \_\_\_\_\_

\_\_\_\_\_  
Name (please print)

\_\_\_\_\_  
Office / Committee

# Draft Example of a City of Richmond Code of Conduct for Elected Officials

## A. Introduction

As local elected representatives (“members”), we recognize that responsible conduct is essential to providing good governance for the City of Richmond.

We further recognize that responsible conduct is based on the foundational principles of integrity, accountability, respect, and leadership and collaboration.

In order to fulfill our obligations and discharge our duties, we are required to conduct ourselves to the highest ethical standards by being an active participant in ensuring that these foundational principles, and the standards of conduct set out below, are followed in all of our interactions with every person, including those with other members, staff, and the public.

## B. How to apply and interpret this Code of Conduct

This Code of Conduct applies to the members of the City of Richmond’s City Council. It is each member’s individual responsibility to uphold both the letter and the spirit of this Code of Conduct in their dealings with other members, staff, and the public. Elected officials must conduct themselves in accordance with the law. This Code of Conduct is intended to be developed, interpreted and applied by members in a manner that is consistent with all applicable Federal and Provincial Laws, as well as the bylaws and policies of the City of Richmond, the common law and any other legal obligations which apply to members individually or as a collective Council or Committee.

## C. Foundational Principles of Responsible Conduct

1. **Integrity** – means being honest and demonstrating strong ethical principles. Conduct under this principle upholds the public interest, is truthful and honourable.
2. **Respect** – means having due regard for others’ perspectives, wishes and rights; it also means displaying deference to the offices of local government, and the role of local government in community decision making. Conduct under this principle is demonstrated when a member fosters an environment of trust by demonstrating due regard for the perspectives, wishes and rights of others and an understanding of the role of the local government.
3. **Accountability** – means an obligation and willingness to accept responsibility or to account for ones actions. Conduct under this principle is demonstrated when Council members, individually and collectively, accept responsibility for their actions and decisions.
4. **Leadership and Collaboration** – means an ability to lead, listen to, and positively influence others; it also means coming together to create or meet a common goal

through collective efforts. Conduct under this principle is demonstrated when a Council member encourages individuals to work together in pursuit of collective objectives by leading, listening to, and positively influencing others.

## D. Standards of Conduct

1. **Integrity** - Integrity is demonstrated by the following conduct:
  - Members will be truthful, honest, and open in all dealings, including those with other members, staff and the public.
  - Members will ensure that their actions are consistent with the foundational principles collectively agreed to by the council or board.
  - Members will follow through on their commitments, correct errors in a timely and transparent manner, and engage in positive communication with the community.
  - Members will direct their minds to the merits of the matters before them, ensuring that they act on the basis of relevant information and principles and in consideration of the consequences of their decisions.
  - Members will behave in a manner that promotes public confidence in all of their dealings.
2. **Respect** - Respect is demonstrated through the following conduct:
  - Members will treat every person with dignity, understanding, and respect.
  - Members will show consideration for every person's values, beliefs, and contributions to discussions.
  - Members will demonstrate awareness of their own conduct, and consider how their words or actions may be perceived.
  - Members will not engage in behaviour that is indecent, insulting or abusive. This behaviour includes unwanted physical contact, or other aggressive actions that may cause any person harm or makes them feel threatened.
3. **Accountability** - Accountability is demonstrated through the following conduct:
  - Members will be responsible for the decisions that they make and be accountable for their own actions and the actions of the collective council.
  - Members will listen to and consider the opinions and needs of the community, and allow for appropriate opportunities for discourse and feedback as required.
  - Unless required otherwise, members will carry out their duties in an open and transparent manner so that the public can understand the process and rationale used to reach decisions and the reasons for taking certain actions.
4. **Leadership and Collaboration** – Leadership and collaboration is demonstrated through the following conduct:
  - Members will behave in a manner that builds public trust and confidence in the local government.
  - Members will consider the issues before them and make decisions as a collective body. As such, members will actively participate in debate about the merits of a decision, but once a decision has been made, all members will recognize the democratic majority, ideally acknowledging its rationale.

- Members will recognize that debate is an essential part of the democratic process and encourage constructive discourse while empowering other members and staff to provide their perspectives on relevant issues.
- As leaders of their communities, members will calmly face challenges, and provide considered direction on issues they face as part of their roles and responsibilities while empowering their colleagues and staff to do the same.
- Members will recognize, respect and value the distinct roles and responsibilities others play in providing good governance and commit to fostering a positive working relationship with and among other members, staff, and the public.
- Members will recognize the importance of the role of the chair of meetings, and treat that person with respect at all times.

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