

TOWN COUNCIL APPOINTED BOARDS AND COMMITTEES - CODE OF CONDUCT

Date of Approval by Council: Sept. 23, 2019	Resolution No.:	TP/19/297
Lead Role: Chief Administrative Officer	Replaces:	TP/16/212
Last Review Date: June 2019	Next Review Date:	June 2022

Special Notes:

Policy Statement:

The proper operation of local government requires that persons appointed by Ponoka Town Council to its boards and committees be independent, impartial and duly responsible through Council to the people of Ponoka.

It is the purpose of the Code of Conduct to outline certain basic rules for persons appointed to boards and committees so that they may carry out their entrusted duties with impartiality and dignity, recognizing that the function of board and committee members is a service to their community and the public.

To further these objectives, certain ethical principles should govern the conduct of persons appointed to boards and committees in order that they shall maintain the highest standards in public office and faithfully discharge their duties.

The Town of Ponoka requires that members of Town Council appointed Boards and Committees sign the Code of Conduct as attached as Schedule A, and not engage in deeds, activities or actions which are, or could be reasonably perceived as, damaging the faith, confidence and trust of the public.

1.0 Reason for Policy:

The intent and purpose for this Code of Conduct is to establish standards for ethical conduct of Members of Council appointed Boards and Committees.

2.0 Definitions:

- 2.1 *Committee:* means a committee, board, commission, authority or task force, established by Council pursuant to the Town of Ponoka Bylaws.
- 2.2 *Council:* means the Mayor and/or Councillors of the Town of Ponoka.
- 2.3 *Member:* means a Member of a committee or board duly appointed by Council.

3.0 Responsibilities

3.1 Town Council to:

3.1.1 Approve this policy by resolution.

3.1.2 Address matters of non-compliance with this policy inclusive of Schedule A attached.

3.2 Members of Council Committees and Boards:

3.2.1 Agree to, sign and comply with the Town of Ponoka's Code of Conduct for members of Town Council appointed Boards and Committees. (Schedule 'A' attached).

3.2.2 Existing Members at the time of the 2019 policy, who opt not to sign the Code of Conduct will be permitted to fulfill the remainder of their term, but will not be considered for reappointment.

TOWN OF PONOKA **SCHEDULE A**
CODE OF CONDUCT FOR
MEMBERS OF TOWN COUNCIL APPOINTED BOARDS AND COMMITTEES

The Town of Ponoka requires that members of Town Council and Council Committees not engage in deeds, activities or actions which are, or could be reasonably perceived as, damaging the faith, confidence and trust of the Public. Members shall at all times seek to advance the common good of the community and shall truly, faithfully and impartially exercise the office to the best of their ability and knowledge.

As a Council appointed board or committee member, the following values are to be maintained:

-) Respect for individuals and each other
-) Honesty and integrity
-) Openness
-) Willingness to listen
-) Willingness to participate
-) Commitment to the task at hand
-) Receptive to new ideas
-) Dedication to preparation
-) Mutual support through positive feedback
-) Speak with one voice.

1. CONDUCT

1.1 Foster Respect for the Decision-Making Process

All members shall effectively and accurately communicate the decisions of the Committee, even if they disagree with the decision, such that respect for the decision-making process is fostered.

All members shall act with mutual trust and respect.

All Members shall share their concerns and communicate concerns amongst the presence of the entire Council or Committee body and, when publicly expressing personal opinions, doing so in a manner that maintains respect for other members and any decisions made by the Council or Committee.

Committees should strive to be clear and consistent in providing recommendations to Council.

1.2 Release of Confidential Information Prohibited

Members have a duty to hold in strict confidence all matters that are dealt with at in-camera meetings. A Member shall not, either indirectly or directly, release, or make public or in any way divulge information or any aspect of the in-camera proceedings to anyone, unless expressly authorized by Council or required by law to do so.

Members shall not release information that is in contravention of the provisions of the *Freedom of Information and Protection of Privacy Act* (FOIP).

Members shall not release information subject to solicitor-client privilege, unless expressly authorized by Council or required by law to do so.

Members shall not misuse confidential information that is not in the public domain, including written correspondence, emails, texts or verbal communication from other members or third parties such that it may cause detriment to the Town of Ponoka, Council, Committee or others, or benefit or detriment to themselves or others. This obligation continues in perpetuity.

1.3 Release of Information to the Public and the Media

Members acknowledge that official information related to Committee recommendations to Council will normally be communicated to the public and the media by the Mayor as Head of Council, or Chair of the Committee, or by the Town of Ponoka Chief Administrative Officer or Communications Officer.

1.4 Acceptance of Gifts Prohibited

Members shall not solicit, accept, offer or agree to accept a commission, reward, gift, advantage or benefit of any kind, personally or through a family member or friend, which is connected directly or indirectly with the performance or duties of office.

Members are not precluded from accepting:

- 1.4.1 Personal gifts, commissions, advantages or benefits and rewards, from any organization or from any person not connected directly or indirectly with the performance or duties of office;
- 1.4.2 Political contributions that are otherwise offered, accepted and reported in accordance with applicable law;
- 1.4.3 Food and beverages at receptions, ceremonies, banquets or similar events;

- 1.4.4 Lodging, food, entertainment and transportation provided by other levels of governments or by other local governments, commissions or boards;
- 1.4.5 Token gifts such as commemorative gifts, mementos or souvenirs that are given in recognition of service on a board or committee, for speaking at an event or representing the municipality at an event.

Members shall return any gifts or benefits which exceed these limits, along with an explanation of why the gifts or benefits cannot be accepted.

1.5 Engaging in Incompatible Activity Prohibited

Members shall not engage in any activity, financial or otherwise, which is incompatible or inconsistent with the ethical discharge of official duties that are in the public interest.

Individual members will not interfere with Town Administration.

Without limiting the generality of the foregoing, Members shall not:

- 1.5.1 Use municipal facilities, employees, materials or equipment for any private purpose or personal gain;
- 1.5.2 Use any influence of office for any purpose other than official duties;
- 1.5.3 Influence any Administrative, Council or Committee decision or decision-making process that involves or affects any person or organization in which a Member has a financial interest;
- 1.5.4 Use any information gained in the execution of office that is not available to the public for any purpose other than official duties;
- 1.5.5 Give preferential treatment to any organization, business or person in which a Member has a financial interest.
- 1.5.6 Solicit, demand or accept services of any municipal employee, or individual providing services on a contract for service, or re-appointment purposes;

- 1.6 It is the responsibility of each individual Member to declare a pecuniary interest if the situation arises. Following a declaration of pecuniary interest, the Member shall remove themselves from the meeting and not participate in discussion or debate, nor

vote on the subject matter.

1.7 Treat Every Person with Respect, Dignity and Understanding

Members shall abide by the provisions of the Human Rights Code, and in doing so shall treat every person including other Members, municipal employees, students or placements, as well as the general public with respect, dignity and understanding for the right to equality and to a safe environment that is free from discrimination and harassment.

1.8 Not to Engage in Violence

“Violence” is defined as the threatened, attempted or actual conduct of a person that includes abusive statements, threats (direct and indirect), intimidation, coercion, harassment, insults, or anything that causes or is likely to cause physical injury. It can include unwelcome and inappropriate verbal or physical conduct, which offends or humiliates a person, and can interfere with that person’s ability to do their job.

The Town of Ponoka will not tolerate behaviour from anyone that intimidates, threatens, harasses, abuses, injures or otherwise victimizes members or Town employees and will take whatever steps are appropriate to protect members and Town employees from the potential risks associated with violence. We are committed to providing an appropriate level of protection from the risks associated with violence.

2. POLICY BREACHES

Members have a duty to question whether another Member is violating legislation, ethics or respectful behaviour as set forth in this policy.

Complaints are to be submitted in writing and must set out reasonable and probable grounds for the allegation that the Member has contravened the policy, including a detailed description of the facts, as they are now, giving rise to the allegation.

As a first means to remedy the conduct, members are requested to bring policy breaches to the attention of the respective board or committee chair. The respective chair will then review the matter and enter into an informal discussion with the affected Member in an attempt to resolve the issue. If the matter is not resolved at this level, the matter will be submitted to Town Council for review and decision.

Should a member breach any of the principles outlined in this policy, the possible courses of action are:

-) Requesting apology by the member to the affected individual(s);
-) Issuing a written censure, including removal of the member from Committee/Board membership.

Any action taken by Council to address a policy breach shall include a time frame and what remedial action is expected. A decision to apply one or more of the actions listed above requires a Council resolution.

All discussions surrounding alleged and substantial violations of this policy shall be conducted in an *In Camera* meeting of Council as required when the discussion shall remain confidential under the appropriate sections of the *Freedom of Information and Protection of Privacy (FOIP) Act*.

Persons appointed to boards and committees should not assume that any unethical activities not covered by or specifically prohibited by the Code of Conduct, or by any legislation, are therefore condoned. If in doubt about actions they may be contemplating, Members are encouraged to seek advice from the Chair or their board or committee or from the Office of the Chief Administrative Officer.

By signing this Code of Conduct, I state that I have fully read and understood the contents of the Code of Conduct. My signature is my contractual agreement that I will abide by and follow the Code of Conduct in good faith.

Member Name (print)

Member Signature

Witness Name (print)

Witness Signature

Date: _____