

Township of Galway-Cavendish & Harvey Code of Conduct for Members of Council and Local Boards

1. Preamble

The Ontario Municipal Act, Part V(1), section 223 addresses Accountability and Transparency issues and provides authority for municipalities to establish codes of conduct for Council members and members of local boards.

It is understood that attaining an elected position is a privilege which carries significant responsibilities and obligations. It is further understood that Council members are to be held to a higher standard of behaviour and conduct than the general public. Council members must be independent, impartial and responsible to the people. Members are expected to act with integrity and impartiality that will bear the closest scrutiny.

Members can become disqualified and lose their seat if convicted of an offence under the Criminal Code of Canada or for failing to declare a conflict of personal interest under the Municipal Conflict of Interest Act.

At the commencement of each term, Members of Council will be expected to sign two copies of the Code of Conduct, and convey to each other and all stakeholders that they read, understand, accept, and agree to abide by it.

Council members are required to complete and sign an annual Disclosure Statement. The Clerk shall make the public disclosure statements available to members of the public upon request.

2. Conflict of Interest

- (i) Members must follow the letter and spirit of provisions of the Ontario Municipal Act, and Municipal Conflict of Interest Act.

3. Communication

- (i) Members will accurately and adequately communicate the decisions of Council, even if they disagree with a majority decision.
- (ii) Members are to respect the decision making processes of Council.
- (iii) Councillors must convey and conduct Council business in an open and public manner (other than those matters excluded by section 239(2) Ontario Municipal Act) so that stakeholders may learn the process, logic and rationale which is used to reach conclusions or decisions.
- (iv) Council will periodically use formal or informal opportunities to seek public input as part of the decision making process on issues which have broad impacts on the community.

- (v) Council members will speak respectfully of each other, staff, the municipality, and all Council decisions.
- (vi) Councillors will not comment on other members or staff in a manner which casts aspersions on their professional competence and/or credibility.

4. Gifts

- (i) No Member shall accept a fee, advance, gift or personal benefit that is connected directly or indirectly with the performance of his or her duties of office.
- (ii) The following are exceptions to section 4(i):
 - Food, lodging or transportation and entertainment provided by another government body
 - Food and beverages consumed at banquets and receptions
 - A suitable memento of a function honouring the member
 - Gifts that normally accompany the responsibilities of office and are received as an incident of protocol or social obligation
 - A political contribution otherwise reported by law
 - If the value of the gift does not exceed \$100.00

5. Confidential Information

- (i) The Member has a duty to hold in **strictest confidence** all *in camera* matters.
- (ii) No Member shall use confidential information for personal or private gain, or for the gain of relatives, or any person or corporation.
- (iii) Council members will only release information in accordance with the Municipal Freedom of Information and Protection of Individual Privacy Act.

6. Relationship with Other Councillors and Staff

- (i) The Member shall treat the Chair, other Members, staff and delegations with courtesy, respect and good faith.
- (ii) Only Council as a whole can direct staff members to carry out specific functions.
- (iii) Council members agree that staff members have a duty to the whole Council rather than any individual member.
- (iv) Members shall conduct themselves with decorum at Council meetings.
- (v) Members shall be respectful of the role of staff to advise based on objectivity and without undue influence from any individual member of Council.
- (vi) No Member shall use, or attempt to use, their authority or influence for the purposes of intimidating, threatening, coercing, commanding, or influencing any staff member with the intent of

interfering with that person's duties, including the duty to disclose improper activity.

- (vii) Council members will act collectively to ensure good governance.

7. Use of Township Property

- (i) Members will only use Township property, equipment or services connected with the discharge of their official duties.

8. Improper Use of Influence

- (i) No Member shall use the influence of his or her office for any purpose other than for the exercise of official duties.
- (ii) No Member may promise an appointment or use his or her influence to obtain an appointment to any position as a reward for any political activity or contribution.

9. Duty to Report Violation

- (i) No one may, directly or indirectly, induce, encourage, or aid a Member to violate any provision of this code.
- (ii) Neither the Township nor any Council member may take or threaten to take, discharge, discipline, personal attack, harassment, intimidation, or change in job or salary against a person or their family for reporting a violation of the code.

10. Integrity Commissioner

- (i) Integrity Commissioner is independent from both Council and staff.
- (ii) Individual appointee(s) who reports to Council for a term of three years and is responsible for performing in an independent manner the functions assigned by the municipality with respect to the code of conduct and the procedures, rules and policies of the municipality.
- (iii) The Commissioner has the power to conduct an inquiry if requested by Council, a member of Council or a member of the public about whether a member of Council or local board has contravened the Code of Conduct.
- (iv) The Commissioner is entitled to free access to all books, accounts and records, things or property belonging to or used by the municipality that he/she believes to be necessary in the performance of the investigation.
- (v) The Commissioner may elect to use the powers of a commission under Parts I and II of the Public Inquiries Act, 2006.
- (vi) The Integrity Commissioner will be reimbursed for reasonable expenses incurred in the performance of their duties.
- (vii) All official correspondence of the Integrity Commissioner must be sent by registered, certified mail or personal service.
- (viii) Records of the Integrity Commissioner must be retained for a period of not less than 5 years.

11. Penalty

- (i) A reprimand and/or
- (ii) Suspension of the remuneration paid to the member in respect of his or her services as a member of Council or of the local board, as the case may be, for a period of up to 90 days.
- (iii) The Integrity Commissioner may also recommend that Council or local board take the following actions:
 - Removal as Chair of a Committee or local board
 - Repayment or reimbursement of moneys received
 - Return of property or reimbursement of its value
 - A request for an apology to Council, the complainant, or both

Date: _____

Name

Title