

Grey County Code of Conduct September 12, 2019

Principles *Integrity*

Integrity Commissioner for Grey County

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Code of Conduct for Council

Key Concepts, general principles

- ▶ Ethical conduct and behaviour are core to public confidence in government
- ▶ Political leaders are held to higher standard
- ▶ Elected officials carry out duties with impartiality and equality of service to all
- ▶ Private interests must not provide potential or appearance of advantage, benefit

Features of your new Code of Conduct

- ▶ More definitions to provide clarity
- ▶ Commentary to provide additional guidance and examples
- ▶ Formal and informal complaint procedures
- ▶ Investigation and reporting procedures set out
- ▶ Advice of Integrity Commissioner is binding

Code of Conduct – Key Concepts

General Introduction, Framework and Interpretation		Guiding Principles	
Rule 1: Avoidance of Conflicts		Rule 2: Gifts, Benefits & Hospitality	
Rule 3: Member Expenses		Rule 4: Confidential Information	
Rule 5: Use of Township Resources		Rule 6: Election Campaigns	
Rule 7: Improper Use of Influence		Rule 8: Business Relations	
Rule 9: Member Conduct		Rule 10: Media Communications	
Rule 11: Respect for By-laws & Policies		Rule 12: Respectful Workplace	
Rule 13: Conduct Respecting Staff		Rule 14: Employment of Relatives	
Rule 15: Undermining Council Decisions		Rule 16: Reprisals and Obstructing	
Rule 17: Acting on IC Advice		Rule 18: Implementation	

Rule 1

Avoidance of Conflicts of Interest

- ▶ May not participate when you have a disqualifying interest, including an MCIA pecuniary interest
- ▶ Make Transparency Disclosure if someone might perceive you to have an interest
- ▶ Rule contains other direction re contracting, occupations which conflict with your ability to serve on Council.

Municipal Conflict of Interest Act

Pecuniary Interests (Direct and Indirect, and Deemed)

Deemed: Direct or Indirect Interest of Parent, Child or Spouse (if known)

Indirect: Shareholder, director or senior officer of non-public corporation

Controlling interest, director or senior officer of public corporation

Member of a Body that has a Pecuniary Interest

Partner, or employee of person or body with interest

Exception: Member of Body, appointed by Council

Common Law Conflict of Interest

“an apparent conflict of interest...” exists when there is a reasonable apprehension, which reasonably well-informed persons could properly have, that a conflict of interest exists.”

(Stevens v. Canada (Attorney General))

For example: Interest of a sibling or close friend

Rule 10

Media Communication

- ▶ Accurately communicate decisions, even if member disagrees
- ▶ Support primacy of Council and democratic process
- ▶ Refrain from disparaging other members, Council
- ▶ Particularly important with social media

Rule 17:

Acting on Advice of Integrity Commissioner

- ▶ Any written advice given by the Integrity Commissioner to a Member binds the Integrity Commissioner in any subsequent consideration of the conduct of the Member in the same matter, as long as all the relevant facts were disclosed to the Integrity Commissioner, and the Member adhered to the advice given.

Complaint Protocol

Part B: Formal Complaint Procedure

- ▶ Initiation
- ▶ Classification
- ▶ Investigation
- ▶ Council Review of Report
- ▶ Confidentiality

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Possible Sanctions

- ▶ Following investigation, the Integrity Commissioner reports to Council regarding any violations of the Code of Conduct
- ▶ Integrity Commissioner may recommend:
 - ▶ Reprimand
 - ▶ Up to 90 days suspension of Member's pay

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Possible Sanctions

- ▶ Integrity Commissioner may also recommend:
- ▶ Removal of Member from committee or as Chair
- ▶ Return of property or reimbursement of value
- ▶ Repayment of moneys received
- ▶ Written or verbal apology

The broad role of an Integrity Commissioner: Municipal Act Functions

Assist in adopting Conduct Codes and other ethical polices, rules and procedures



Assist in interpreting these ethical polices and how they are applied to Council and Local Boards: Education and Training to Members of Council and Local Boards, to the Municipality, and the Public



Upon Written Request, provide advice to members of Council and Local Boards respecting their ethical behaviour polices, rules, procedures

Receive Complaint

[Resolve]

Investigate

Report

Recommend
Sanction as
appropriate

The broad role of an Integrity Commissioner: MCIA Functions

Assist in interpreting the *Municipal Conflict of Interest Act*, particularly sections 5, 5.1 and 5.2, for Members of Council and Local Boards: Education and Training to Members of Council and Local Boards, to the Municipality, and the Public



Upon Written Request, provide advice to members of Council and Local Boards respecting their obligations under the MCIA

Receive Application from elector or person in public interest

Six weeks

[Resolve]

Investigate (public meeting)

Complete within 180 days

Decide whether to apply to judge

Issue Reasons

How to Contact us:

Email postoffice@principlesintegrity.org with your question or to set up a telephone conversation

Telephone (and conference call capability): 647-259-8697

- ▶ Review your Committee Agendas for potential interests;
- ▶ Don't wait until minutes before the meeting - Request any advice early