



## CODE OF ETHICS

### BYLAW NO. 14/16

A Bylaw to provide for a Code of Ethics for Members of Council

#### **Short Title**

This Bylaw may be cited as the Code of Ethic Bylaw.

#### **Legal Requirement**

This bylaw has been created to comply with section 93.1 of *The Municipalities Act* and as outlined in Section 3.1, Schedule 1, of *The Municipalities Regulations*.

### **Part I**

## **CODE OF ETHICS**

### **Code of Ethics for Members of Council**

#### **Preamble**

As members of Council, we recognize that our actions have an impact on the lives of all residents and property owners in the community. Fulfilling our obligations and discharging our duties responsibly requires a commitment to the highest ethical standards.

The quality of the public administration and governance of the Town of Aberdeen, as well as its reputation and integrity, depends on our conduct as elected officials.

#### **Purpose and Interpretation**

The purpose of this code is to outline basic ethical standards and values for members of council. It is to be used to guide members of council respecting what their obligations are when fulfilling their duties and responsibilities as elected officials.

This code is to be interpreted in accordance with the legislation applicable to the municipality, the common law and the policies and bylaws of the municipality.

Neither the law nor this code is to be interpreted as exhaustive, and there will be occasions on which council will find it necessary to adopt additional rules of conduct in order to protect the public interest and to enhance the public confidence and trust in local government.

It is the responsibility of each member of council to uphold the standards and values set out in this code.

#### **Standards and Values**

##### **a. Honesty**

Members of Council shall be truthful and open in their roles as Council members and as members of the communities they serve.

**b. Objectivity**

Members of Council shall make decisions carefully, fairly and impartially.

**c. Conduct at Meetings**

Members of Council shall conduct themselves at council and committee meetings with decorum.

**d. Respect**

Members of Council shall encourage public respect for the municipality and its bylaws.

Members of Council shall accurately communicate the decision of 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.

All members of Council have a duty to treat members of the public, one another and staff appropriately. They are not to use or attempt to use, their authority for the purpose of intimidating, threatening, or bullying of any staff member, and to ensure that the staff work environment is free from discrimination and harassment.

**e. Transparency and Accountability**

Members of Council shall endeavor to conduct and convey Council business and all their duties in an open and transparent manner, other than those discussions that are authorized to be dealt with in a confidential manner in closed session, so that stakeholders can view the process and rationale used to reach decisions and the reasons for taking certain actions.

Members of Council are responsible for the decisions that they make. This responsibility includes acts of commission and acts of omission.

**f. Confidentiality**

Members of Council shall refrain from disclosing or releasing any confidential information acquired by virtue of their office except when required by law or authorized by Council to do so. Members shall not take advantage or obtain private benefit from information that is obtained in the course of or as a result of their official duties or position and that is not in public domain. This includes complying with *The Local Authority Freedom of Information and Protection of Privacy Act* in their capacity as members of Council of a local authority.

**g. Leadership and the Public Interest**

Members of Council shall serve their constituents in a conscientious and diligent manner and act in the best interests of the municipality. A member shall strive, by focusing on issues important to the community and demonstrating leadership, to build and inspire the public's trust and confidence in local government.

Members of Council are expected to perform their duties in a manner that will bare close public scrutiny and shall not provide the potential or opportunity for personal benefit, wrongdoing or unethical conduct.

**h. Responsibility**

Members of Council shall act responsibly and in accordance with the Acts of the Parliament of Canada and the Legislature of Saskatchewan, including *The Municipalities Act*.

This duty includes disclosing actual or potential conflicts of interest, either financial or otherwise relating to their responsibilities as members of Council, following policies and procedures of the municipality, and

exercising all conferred powers strictly for the purpose for which the powers have been conferred. Every member of Council is individually responsible for preventing potential and actual conflicts of interest.

## **Part II**

### **CONTRAVENTION OF THE CODE OF ETHICS**

#### **Complaint Procedure**

As required by clause 93.1

(5)(c) of *The Municipalities Act*, the following section details the procedure for handling contraventions of the code of ethics.

To report an alleged contravention of the code of ethics, an individual/organization/member of Council may submit the form found in Schedule A, by sending the form directly to the Chief Administrative Officer by mail, email, fax or courier. The complaint will then be presented to Council at the next regular meeting of Council in an *in camera* session.

Upon receipt of a complaint, Council shall discuss the complaint and take all necessary steps to ensure the complaint is valid.

All discussions surrounding alleged and substantiated contraventions of this policy shall be conducted in an *in camera* session at a meeting of Council.

If the claim is found to be substantiated, Council may, by resolution, impose an appropriate penalty detailed in section 5 (a) to (f) based on the severity of the contravention of the code of ethics.

Any action taken by Council should include a time frame to complete the expected remedial action.

Council shall inform the claimant, member of council, and any other relevant party of council's decision which includes:

- Informing the claimant and member of council that the complaint is dismissed, or
- Informing the complainant and member of Council of the corrective action and/or the measures taken to
- Ensure the behavior or activity does not continue.

#### **Contravention during a Council Meeting**

If Council is of the opinion that a member has violated the code of ethics during a Council meeting, Council may require the member to remove themselves for the remainder of the Council meeting. Council may apply additional penalties base on the severity of the contravention.

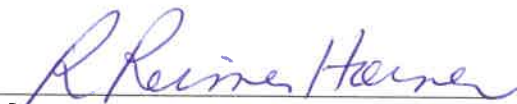
#### **Remedial Action if Contravention Occurs**

Should a member of Council breach any of the principles outlined in this code, the possible courses of action that are available to Council include but are not limited to:

- An apology, either written and/or verbal, by the member of Council to the impacted individual(s) Council, and/or the general public.
- Educational training on ethical and respectful conduct.
- Repayment of moneys/gifts received.

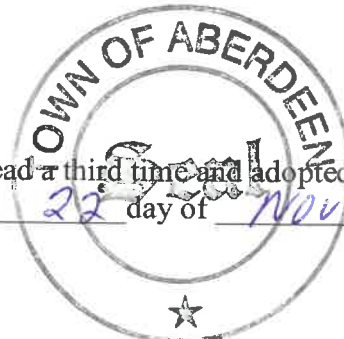
Removal of the member from Council Committees and/or bodies.  
Dismissal of the member from a position of Chairperson of a Committee.  
Reprimand.

This bylaw shall come into effect on the day of its final passing.

  
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Mayor

  
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Chief Administrative Officer

Seal

Read a third time and adopted this  
 22 day of November, 2016

Certified a true copy of Bylaw 14/16 passed  
by resolution of Council on November 22, 2016.

  
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Chief Administrative Officer