

**REGIONAL DISTRICT OF OKANAGAN-SIMILKAMEEN
BOARD POLICY**

POLICY: Code of Ethics

AUTHORITY: Board Resolution No. B24/05 dated January 21, 2005.
Administrative Review April 15, 2015
Administrative Review September 20, 2019

POLICY STATEMENT

The citizens of the Regional District of Okanagan-Similkameen are entitled to have fair, honest and open local government that has earned the public's full confidence for integrity. In keeping with the Regional District's Principles and Corporate Values, the Regional District seeks to maintain and enhance the quality of life for all Regional District residents through effective, responsible and responsive government.

PURPOSE

To outline standards of conduct expected of all Regional District representatives.

DEFINITIONS (IF REQUIRED)

Member means an elected or appointed Director of the Regional District, an appointee to a board, committee, commission, panel, task force or other body of the Regional District.

RESPONSIBILITIES

Members commit to ensure that:

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

PROCEDURES

1. Act in the Public Interest

Recognizing that the Regional District seeks to maintain and enhance the quality of life for all Regional 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 Community Charter and the Local Government Act*; laws pertaining to financial disclosures and employer responsibilities; and relevant Regional District bylaws and policies.

3. Conduct of Members

The conduct of Members in the performance of their duties and responsibilities with the Regional 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, Regional District 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 Regional District governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the Regional District by Regional 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 circumstances.

7. Communication

Subject to paragraph 10, Members shall share with the body of which they are a member all substantive information that is relevant to a matter under consideration by them which they may have received from sources outside of the public decision-making process. Prior to doing so, Members shall discuss the information with the Chief Administrative Officer so as to ensure that the appropriate procedure is followed in the decision-making process.

8. Conflict of Interest

All Regional District directors shall be aware of their responsibilities under the *Local Government Act* and shall fulfil the requirements of section 787.1(1) of that Act and Division 6 of Part 4 of the *Community Charter*. All other Members shall act in accordance with the Regional District's *Conflict of Interest Policy*.

9. Gifts and Favours

All Regional District directors shall be aware of their responsibilities under the *Local Government Act* and shall fulfil the requirements of section 787.1(1) of that Act and sections 105 and 106 of the *Community Charter*. All other 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 Regional District, save 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 Regional District programs open to the public and may purchase Regional District property or goods offered for public sale.

10. Confidential Information

Members shall respect the confidentiality of information concerning property, personnel or legal affairs of the Regional District and of information provided by a third party to the Regional District on a confidential basis. 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 Regional District 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 Regional District to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, Members shall expressly state the views are their own and do not represent the views of the Regional District. Members shall not use Regional District letterhead for personal matters.

13. Policy Role Members

Members shall respect and adhere to the Regional District Management staff structure of government as practiced in the Regional District of Okanagan-Similkameen. In this structure, the Regional District Board makes policy decisions and the Regional District Management staff implements those with appropriate advice, information and analysis.

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

14. Positive Work Place Environment

Members shall treat other members, the public and Regional 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.

15. Implementation

The Regional District's 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 Regional District Directorship and applicants to committees. Persons elected to Regional District Directorship or appointed to a body by the Regional District will be requested to sign the Member Statement affirming they have read and understand the Regional District's Code of Ethics.

16. Compliance and Enforcement

The Regional District's Code of Ethics expresses standards of ethical conduct expected for Members. 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 Regional District.

The Regional District may impose sanctions on Members whose conduct does not comply with the Regional District's standards, such as motions of censure and rescission of committee and other appointments.

To ensure procedural and administrative fairness, Members who are accused of violating any provision of the Code of Ethics 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 the allegations. Before considering a sanction, the Regional District must ensure that the 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 the allegations; and
3. an opportunity to be heard.

A violation of this Code of Ethics shall not be considered a basis for challenging the validity of a Regional District decision.