



TOWN OF GIBSONS
Council Code of Conduct

TITLE:	Council Code of Conduct
ADOPTED DATE:	February 8, 2022
REVISED DATE:	

INTRODUCTION

As local government elected Council Members and appointees, the Town of Gibson’s Council (“Council”) recognizes that responsible conduct is essential to providing good governance for the Town of Gibsons.

Members will strive to ensure that the duties and obligations of Council are performed with the highest ethical standards and act as active participants in following the foundational principles and standards of conduct outlined in this Code of Conduct (“Code”).

Members recognize the unique role and contribution each person has in making the Town a better place to work and live.

SCOPE AND APPLICATION

This Code of Conduct applies to the Members of Council and, where indicated, to any person appointed by Council to boards, committees, commissions, panels, or task forces (“Members”).

It is each Member’s individual responsibility to uphold both the letter and the spirit of this Code of Conduct in their dealings with other Members, Town staff, and the public. Members must conduct themselves in accordance with the law.

This Code is intended to be developed, interpreted and applied by Members in a manner that is consistent with all applicable Federal and Provincial Laws, as well as the bylaws and policies of the Town of Gibsons, the common law and any other legal obligations which apply. It must be noted that all legislation, including the Community Charter, overrides the Code of Conduct. This document is not intended to be punitive or disciplinary in nature.

POLICY

1. Foundational Principals

In addition to Council’s commitment to the Town of Gibson’s community, outlined in the 2019-2022 Strategic Plan, Council recognizes the leadership role they play within the organization of the Town of Gibsons. Council recognizes that responsible conduct extends beyond their

interactions with the public community and that the same responsibility applies when interacting with all individuals at all levels of the organization.

Council recognizes that the basis of responsible conduct is based on a set of foundational principles which include integrity, respect, accountability, leadership and collaboration.

- 1.1 **Integrity:** means being honest and demonstrating strong ethical principles. Conduct under this principle upholds the public interest, is truthful and honourable.
- 1.2 **Respect:** means having due regard for others' perspectives, wishes and rights; it also means displaying deference to the offices of local government, and the role of local government in community decision making. Conduct under this principle is demonstrated when a Member fosters an environment of trust by demonstrating due regard for the perspectives, wishes and rights of others and an understanding of the role of the local government
- 1.3 **Accountability:** means an obligation and willingness to accept responsibility or to account for one's actions. Conduct under this principle is demonstrated when council, individually and collectively, accept responsibility for their actions and decisions.
- 1.4 **Leadership and Collaboration:** means an ability to lead, listen to, and positively influence others; it also means coming together to create or meet a common goal through collective efforts. Conduct under this principle is demonstrated when a council or board Member encourages individuals to work together in pursuit of collective objectives by leading, listening to, and positively influencing others.

2. Standards of Conduct

Council recognizes the following general standards of conduct that reflect the foundational principles identified above.

- 2.1 **Integrity:** Integrity is demonstrated by the following conduct:
 - Members will be truthful, honest, and open in all dealings, including those with other Members, staff and the public.
 - Members will ensure that their actions are consistent with the shared principles and values collectively agreed to by the Council through the Town's strategic plans and policies.
 - Members will follow through on their commitments, correct errors in a timely and transparent manner, and engage in positive communication with the community and staff.
 - Members will direct their minds to the merits of the decisions before them, ensuring that they act on the basis of relevant information and principles and in consideration of the consequences of those decisions.

- Members will behave in a manner that promotes public confidence in all of their dealings.

2.2 **Respect:** Respect is demonstrated through the following conduct:

- Members will treat every person with dignity, understanding, and respect.
- Members will show consideration for every person's values, beliefs, and contributions to discussions.
- Members will demonstrate awareness of their own conduct, and consider how their words, actions, or lack of action may be perceived as offensive or demeaning.
- Members will not engage in or tolerate behaviour that is indecent, insulting, abusive or consistent with bullying and harassment as defined by WorkSafeBC. This behaviour includes unwanted physical contact, or other aggressive or inappropriate actions or language that may cause any person harm or makes them feel threatened.

2.3 **Accountability:** Accountability is demonstrated through the following conduct:

- Members will be responsible for the decisions that they make and be accountable for their own actions and the actions of the collective council.
- Members will listen to and consider the opinions and needs of the community and staff in all decision- making and allow for appropriate opportunities for discourse and feedback.
- Members will carry out their duties in an open and transparent manner so that the public and staff can understand the process and rationale used to reach decisions and the reasons for taking certain actions.

2.4 **Leadership and Collaboration:** Leadership and collaboration is demonstrated through the following conduct:

- Members will behave in a manner that builds public trust and confidence in the local government.
- Members will consider the issues before them and make decisions as a collective body. As such, Members will actively participate in debate about the merits of a decision and make decisions in the best interests of the community. Once a decision has been made, all Members will recognize the democratic majority, ideally acknowledging its rationale, when articulating their opinions on a decision.
- Members will recognize that debate is an essential part of the democratic process and encourage constructive discourse while empowering other Members and staff to provide their perspectives on relevant issues. Members

will recognize the difference between constructive discourse and inappropriate and/or offense dialogue as defined by WorkSafe BC and will not participate in or allow participation by individuals or organizations engaging in such behaviour.

- As leaders of their communities, Members will calmly face challenges and provide considered direction on issues they face as part of their roles and responsibilities while empowering their colleagues, staff and the public to do the same.
- Members will recognize, respect and value the distinct roles and responsibilities others play in providing good governance and commit to fostering a positive working relationship with and among other Members, staff, and the public.
- Members will recognize the importance of the role of the chair of meetings and treat that person with respect at all times.

3. *Collection and Handling of Information*

- 3.1 Members shall respect the confidentiality of information including information concerning the property, personnel or legal affairs of the Town. They shall neither disclose confidential information without proper authorization, nor use such information to advance their personal, financial or other private interests. Members will not ask nor be asked by staff or any Member to disregard professional ethics, or the law, with requests or suggestions to bypass due process.
- 3.2 Subject to paragraph 3.1, Members may publicly share substantive information which they may have received from sources outside of the public-decision-making process.
- 3.3 Members who bring forward concerns about wrongdoing or who come under investigation under the BC Public Interest Disclosure Act (PIDA) whistleblower legislation will be treated fairly and with high standards of integrity.

4. *Interactions with Staff*

- 4.1 Members shall not make statements, private or public, attacking or disparaging staff. Members will have zero-tolerance for behaviour consistent with bullying and harassment and will not engage with individuals, associations or organizations who display behaviour towards Council or staff that is consistent with bullying and harassment.

5. *Interactions with the Public and the Media*

- 5.1 Members shall accurately communicate the decisions of Council, even if they disagree with the majority decision of Council; and by doing so affirm the respect and integrity in the decision-making process of Council.

5.2 Members shall not publish or report information that they know to be inaccurate, incomplete, or in other ways misrepresents a decision of Council.

6. *Conflict of Interest*

6.1 Members shall be aware of and appropriately resolve any conflict or incompatibility between their personal interests and the impartial performance of their duties in accordance with statutory requirements of the *Community Charter*.

7. *Advocacy and Political Activities*

7.1 Members shall represent the official policies or positions of Council or of the body to which they have been appointed to the best of their ability when designated as delegates for this purpose.

7.2 When presenting their individual opinions and positions, Members shall clearly state they do not represent Council, the body to which they have been appointed, the Town of Gibsons, nor will they allow the inference that they do.

8. *Implementation*

8.1 The Council Code of Conduct is intended to be self-enforcing. Members should view the Code as a set of guidelines that express a collective standard of conduct expected by them. The Code is most effective when Members are thoroughly familiar with the purpose and content of the Code, embrace its provisions and hold one another accountable for the same. The Code shall be provided to candidates for Council and information regarding the Code will be incorporated into the Council orientation process for Members who are elected to Council and for those appointed by Council to boards, committees, commissions, panels, or task forces.

8.2 Council may review the Code at the beginning of each new term, consider amendments from Members, and update the Code as necessary.

9. *Compliance and Enforcement*

9.1 Members themselves have the primary responsibility to ensure that the standards outlined within the Code are understood and met.

9.2 The strongest measure Council can take after attempting to resolve any differences through direct discussion is to impose a motion of public censure.

9.3 If a Member wishes to make a formal complaint, a written statement must be brought forward to a closed Committee of the Whole meeting. Anonymous complaints will not be publicized or acted on.

- 9.4 To ensure procedural and administrative fairness, a Member who is alleged to have violated any provision of the Code (with the exception of violations otherwise addressed through legislation), shall have a minimum of one week or the time between two consecutive Committee of the Whole meetings, whichever is greater, to prepare their response to a formal complaint. Before considering taking measures, Council shall ensure that a Member has:
- (a) received a written copy of the complaint against them; and
 - (b) an opportunity to be heard in a subsequent closed Committee of the Whole meeting.
- 9.5 A violation of this Code of Conduct shall not be considered a basis for challenging the validity of a Council or Committee decision.

LEGISLATION

- Community Charter
- Local Government Act
- Section 115(1)(a) of the *Workers Compensation Act*

RESPONSIBILITIES

Council has overall responsibility for:

- Adopting this Policy and any future updates;
- Providing oversight of the delivery and effectiveness of this Policy;
- Overseeing the development and enforcement of this Policy;
- Considering and updating this Policy where circumstances dictate.

REVIEW DATE

- This is a living document. It will be reviewed by Council on an ongoing basis and updated to remain relevant and effective.