

CODE OF CONDUCT FOR MEMBERS OF COUNCIL

*As amended by By-law No. 06-2013 (now repealed),
By-law No. 109-2013, By-law No. 01-2014, and By-law No. 65-2015*

Purpose of the Code of Conduct

The Niagara Region is well respected by the general public, clients, employees, elected officials, suppliers, communities, and governments due to its excellent track record of ethical conduct and high integrity. The purpose of this Code of Conduct is to outline the responsibilities and procedures to be followed.

Scope of the Code of Conduct

This Code of Conduct applies to every member of Council of Niagara Region. Members of Council are encouraged to discuss any situations of concern or doubt regarding the code with the Regional Chair. The Code of Conduct helps to ensure that the members of Regional Council share a common basis for acceptable conduct. These standards are designed to provide a reference guide and a supplement to the legislative parameters within which the members of Council must operate. These standards should serve to enhance public confidence that Regional Municipality of Niagara's elected representatives operate from a base of integrity, justice and courtesy.

The Code of Conduct is a general standard that augments the provincial laws and Regional by-laws that govern the conduct. It is not intended to replace personal ethics.

General Principles

All members of Council shall observe the highest standard of ethical conduct. They are expected to act honestly, independently, impartially, with discretion and without regard to self-interest and to avoid any situation liable to give rise to a conflict of interest. They are expected to be mindful of the importance of their duties and responsibilities, to take into account the public character of their function and to conduct themselves in a way that maintains and promotes the public's trust in the Regional Municipality of Niagara. All members of Council have a duty to act honestly, in good faith and in best interests of the Regional Municipality of Niagara. All members shall serve their constituents in a conscientious and diligent manner. No member shall use the influence of office for any purpose other than the exercise of his or her official duties.

Foster Respect for Decision-making Process

All Members of Council shall accurately communicate the decisions of Council, even if they disagree with Council's decision, such that respect for the decision-making processes of Council is fostered.

Release of Confidential Information Prohibited

Members of Council have a duty to hold in strict confidence all information concerning matters dealt with at meetings closed to the public. A Member of Council shall not, either directly or indirectly, release, make public or in any way divulge any such information or any aspect of the meeting closed to the public deliberations to anyone, unless expressly authorized by Council or required by law to do so.

Members of Council shall not release information in contravention of the provisions of the Municipal Freedom of Information and Protection of Privacy Act and shall comply with the provisions of the Information Access and Privacy Protection Policy for Niagara Region.

Members of Council shall not release information subject to solicitor-client privilege, unless expressly authorized by Council or required by law to do so.

Members of Council shall not misuse confidential information (information that they may have knowledge of by virtue of their position as Councillor that is not in the public domain, including e-mails and correspondence from other Members of Council or third parties) such that it may cause detriment to the Corporation, Council or others, or benefit or detriment to themselves or others.

Avoiding Conflict of Interest and Unethical Behaviour

Members of Council of Niagara Region shall avoid conflict of interest or unethical behaviour. This policy will assist members of Council to identify and handle potential conflicts of interest and provide a useful reference guide to help to ensure consistency in dealing with situations. It is intended to supplement other professional codes in use.

Compliance with the *Municipal Conflict of Interest Act and Avoidance of Conflicts*

The Members of Council shall fully comply with the provisions of the *Municipal Conflict of Interest Act*. This Act outlines the procedure to be followed if a party wishes to pursue an alleged contravention of the *Municipal Conflict of Interest Act*. Members of Council shall also avoid conflict of interest or unethical behaviour in the following situations (note conflicts are not limited to the following):

Members of Council shall not use their position within the Region to gain any particular interest personal or family advantage or benefit in utilizing any service provided by the Region or in conducting any business on behalf of the Region.

- (i) Members of Council shall not be involved as an official of the Region in judging, inspecting or making a decision on any matter in which they have a personal or family interest. Any Member of Council involved shall immediately declare a conflict of interest as soon as such conflict is identified.

Respect, Truth, Honesty and Integrity

1. Members of Council shall respect the values of truth, honesty and integrity in all Niagara Region matters, issues and activities.
2. Members of Council shall not impose their personal, moral or religious standards on others as every person is an individual with specific rights, values, beliefs and personality traits to be respected at all times.
3. Members of Council shall respect the right to confidentiality and privacy of all clients, volunteers and employees and be aware of their responsibilities under relevant legislation, corporate and departmental policies, ethical standards and where appropriate, professional standards. No discussion regarding clients, volunteers or employees will be conducted other than with authorized persons in accordance with corporate and department policy.

Pursuit of Excellence

1. Members of Council shall act in the best interest of the community, in a responsible manner, and be held accountable for their actions.
2. Members of Council shall strive to achieve the highest standards of competence.
3. Members of Council shall be cognizant of their position within the Region and the trust and influence that can be afforded these positions by clients and community agencies. Employees shall ensure that they are operating in a manner that does not violate trust relationships or abuse the power of the position.

Gifts and Benefits

Members shall not accept fees, gifts, hospitality or personal benefits that are connected directly or indirectly with the performance of duties as Regional Councillors, except compensation authorized by law.

This section does not apply to tokens, mementoes, souvenirs, or such gifts or benefits that are received as an incident of protocol or social obligation that normally accompanies the responsibilities of office.

No Member shall seek or obtain by reason of his or her office any personal privilege or advantage with respect to Regional services not otherwise available to the general public and not consequent to his or her official duties.

Conduct

Amended January 16, 2014 by By-law No. 01-2014

As representatives of the Region, every member of Council has the duty and responsibility to treat members of the public, one another and staff appropriately

and without abuse, bullying or intimidation and to ensure that the municipal work environment is free from discrimination and harassment. A member shall not use indecent, abusive, or insulting words or expressions toward any other member, any member of staff or any member of the public. A member shall not speak in a manner that is discriminatory to any individual based on the person's race, ancestry, place of origin, creed, gender, sexual orientation, age, colour, marital status or disability. ***Members shall be encouraged to disable the audible signals on their cell phones during any Committee or Regional Council meetings.***

Influence on Staff

Under the direction of the Chief Administrative Officer, Regional staff serve Council as a whole. Without a specific delegation from Council, no individual member of Council has executive authority over municipal staff. Members of Council shall be respectful of the fact that staff work for the Region as a body corporate and are charged with making recommendations to Council that reflect their professional expertise and a corporate perspective without undue influence from any member or group of members. Members of Council shall not maliciously or falsely injure the professional or ethical reputation of staff.

Complaint Procedure

Amended July 2, 2015 by By-law No. 65-2015

The procedure for filing complaints alleging that a member of Council has contravened the Code shall be governed by the policies of Council as amended from time to time.