



Town of Cochrane Policy

Policy No.:	1302-01
Policy Title:	Code of Conduct for Members of Council and Council Committees
Approval Date:	September 28, 2009
Revision Date:	
Department:	Municipal Services

Policy Statement:

The Town of Cochrane requires that its Members of Council and Council Committees not engage in actions which are, or could be reasonably perceived as, damaging to the trust, confidence and faith of the public. Members shall at all times seek to advance the common good of the community which they serve and shall truly, faithfully and impartially exercise the office to the best of their knowledge and ability.

1. Reason for Policy

The purpose and intent of this Code of Conduct is to establish standards for ethical conduct for Members of Council and Committees.

2. Definitions

- 2.1 Committee means a committee, board, commission, authority, task force or any other public body established by Council pursuant to the Town of Cochrane Procedural Bylaw;
- 2.2 Council means the Mayor and Councillors of the Town of Cochrane.
- 2.3 Member means a Member of Council duly elected and continuing to hold office, or a Member of a Committee duly appointed by Council;

3. Responsibilities

3.1 Town Council to:

3.1.1 Approve this policy by resolution.

3.1.2 Agree to, sign and comply with the *Town of Cochrane Code of Code of Conduct for Members of Council and Council Committees* (Schedule 'A').

3.2 Members of Council Committees:

3.2.1 Agree to, sign and comply with the *Town of Cochrane Code of Code of Conduct for Members of Council and Council Committees* (Schedule 'A').

3.3 Chief Administrative Officer (CAO) to:

3.3.1 Ensure implementation of this Policy with all Members of Council and Council Committees.

4. Appendices

4.1 Schedule A ~ *Town of Cochrane Code of Code of Conduct for Members of Council and Council Committees*

5. End of Policy

TOWN OF COCHRANE
Code of Code of Conduct for Members of Council
and Council Committees

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1. Conduct

1.1 Foster Respect for Decision-making Process

All Members shall accurately and adequately communicate the attitudes and decisions of the Council or Committee, even if they disagree with the decision, such that respect for the decision-making processes is fostered.

All Members shall share their concerns and communicate concerns amongst the presence of the entire Council or Committee body.

1.2 Release of Confidential Information Prohibited

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

Members shall not release information in contravention of the provisions of the Freedom of Information and Protection of Privacy Act.

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

Members shall not misuse confidential information (information that they have knowledge of by virtue of their position as a Member) that is not in the public domain, including e-mails and

correspondence from other Members or third parties such that it may cause detriment to the Town of Cochrane, Council, Committee or others, or benefit or detriment to themselves or others.

1.3 Release of Information to Public and Media

Members acknowledge that official information related to decisions and resolutions made by Council or Committee will normally be communicated to the public and the media by the Mayor as Head of Council, or Chair of the Committee, or by the Town of Cochrane Chief Administrative Officer or Communications Officer.

1.4 Acceptance of Gifts Prohibited

Members shall not solicit, accept, offer or agree to accept a commission, reward, gift advantage or benefit of any kind, personally or through a family member or friend, which is connected directly or indirectly with the performance or duties of office.

Members are not precluded from accepting:

- 1.4.1 personal gifts, benefits rewards, commissions, or advantages from any person or organization not connected directly or indirectly with the performance or duties of office;
- 1.4.2 political contributions that are otherwise offered, accepted and reported in accordance with applicable law;
- 1.4.3 food and beverages at banquets, receptions, ceremonies or similar events;
- 1.4.4 services provided without compensation by persons volunteering their time;
- 1.4.5 food, lodging, transportation and entertainment provided by other levels of governments or by other local governments, boards or commissions;
- 1.4.5 a reimbursement of reasonable expenses incurred in the performance of duties or office, in accordance with relevant Town of Cochrane policy;
- 1.4.6 token gifts such as souvenirs, mementoes and commemorative gifts that are given in recognition of service

on a committee, for speaking at an event or representing the municipality at an event; and

- 1.4.7 gifts that are received as an incident of protocol or social obligation that normally and reasonably accompany the responsibility of office.

Members shall return any gifts or benefits which exceed these limits, along with an explanation why the gifts or benefits cannot be accepted.

1.5 Engaging in Incompatible Activity Prohibited

Members shall not engage in any activity, financial or otherwise, which is incompatible or inconsistent with the ethical discharge of official duties in the public interest.

Without limiting the generality of the foregoing, Members shall not:

- 1.5.1 use any influence of office for any purpose other than official duties;
- 1.5.2 solicit, demand or accept the services of any municipal employee, or individual providing services on a contract for service, for re-election or re-appointment purposes;
- 1.5.3 use any information gained in the execution of office that is not available to the general public for any purpose other than official duties;
- 1.5.4 place themselves in a position of obligation to any person or organization which might reasonably benefit from special consideration or may seek preferential treatment;
- 1.5.5 give preferential treatment to any person or organization in which a Member has a financial interest;
- 1.5.6 influence any Administrative, Council or Committee decision or decision-making process involving or affecting any person or organization in which a Member has a financial interest; and
- 1.5.7 Use municipal materials, equipment, facilities or employees for personal gain or for any private purpose.

1.6 Avoidance of Waste

Members shall avoid waste, abuse and extravagance in the provision or use of public resources, and shall expose fraud and corruption of which the Member is aware.

1.7 Treat Every Person with Dignity, Understanding and Respect

Members shall abide by the provisions of the *Human Rights Code* and, in doing so, shall treat every person, including other Members, municipal employees, individuals providing services on a contract for service, students on placements, and the public, with dignity, understanding and respect for the right to equality and the right to an environment that is safe and free from harassment and discrimination.

1.8 Not to Discriminate

In accordance with the *Human Rights Code*, Members shall not discriminate against anyone on the basis of their race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age record of offences, marital status, same sex partnership status, family status, or disability. Age, disability, family status, record of offences and same sex partnership status shall be defined in the *Human Rights Code*.

1.9 Not to Engage in Harassment

In accordance with the *Human Rights Code*, harassment shall mean engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome.

By signing this Code of Conduct, I state that I have read and fully understand the contents of the Code of Conduct. My signature is my contractual agreement that I will follow and abide by the Code of Conduct in good faith.


Member's Name (please print)

Member's Signature

Witness Name (please print)

Witness Signature

Dated: _____

	<h1>Town of Cochrane Procedure</h1>
Policy No.: Policy Title: Department:	1302-01 Code of Code of Conduct for Members of Council and Council Committees Municipal Services

1. Complaint Process

Organizations or individuals (including the public, Members, and municipals employees) who have:

- Identified or witnessed any **prohibited activity** by a Member under this Code of Conduct; or
- Witnessed or been subject to **discriminatory treatment** by a Member under this Code of Conduct, or
- Witnessed or been subject to **harassment** by a Member under this Code of Conduct

may address the prohibited behaviour or activity as set out below.

1.1 Complaints made by Municipal Employees of Discrimination or Harassment

1.1.1 Where a municipal employee makes a complaint of harassment or discriminatory treatment by a Member, the Member may participate in the resolution and or mediation processes under the *Workplace Violence, Harassment and Discrimination Administration Directive and Procedure* for employees.

1.1.2 If the Member does not participate in these processes or if the complaint is not resolved through these processes, the complainant may lodge a complaint to the *Alberta Human Rights and Citizenship Commission*.

1.2 Other Complaints made by any Person (Allegations of Activity Other than in Section 1.1 above)

Any complainant may take the following steps, if applicable, to address prohibited activity by a Member.

- 1.2.1 A complainant may contact the Cochrane RCMP with respect to an investigation under s. 122 of the *Criminal Code of Canada*, where the allegation is that a Member, in a matter connected to the duties of office, commits fraud or a breach of trust.
- 1.2.2 A complainant may contact the Cochrane RCMP with respect to an investigation under s. 123 of the *Criminal Code of Canada*, where the allegation is that a Member, in a matter connected to the duties of office, demands, accepts, or offers or agrees to accept from any person, a loan, reward, advantage or benefit of any kind.
- 1.2.3 A complainant may advise the Member verbally or in writing that the activity contravenes this Policy and encourage the Member to stop the prohibited activity. A complainant should keep written record of the incidents including dates, times, locations, other persons present, and any other relevant information.
- 1.2.3 A complainant may refer his or her complaint to the *Alberta Human Rights and Citizenship Commission* where the alleged misconduct involves a violation of the *Human Rights Code*.

2. Members' Responsibility

If any Member becomes aware of misconduct by, or an allegation of misconduct against, any other Member, or against an employee of the Town of Cochrane, it is that Member's responsibility to report the misconduct or the allegation.

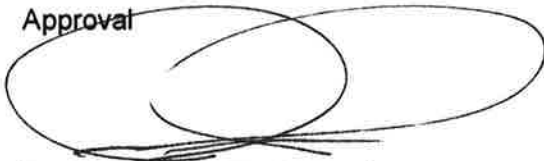
In the interest of fairness to all concerned parties, the following procedures are to be followed in the reporting of allegations of misconduct.

- 2.1 An allegation must be made in writing, dated and signed by the person making it.
- 2.2 An allegation must contain all of the facts available at the time it is made, including how the Member became aware of the misconduct, the nature of the misconduct, names of witnesses, and the date, time and location of the alleged misconduct.
- 2.3 The written allegation of misconduct must be delivered, or directed to the Mayor of the Town of Cochrane in a confidential manner.

- 2.4 If the allegation of misconduct is against the Mayor of the Town of Cochrane, it is to be delivered or directed to the Deputy Mayor of the Town of Cochrane in a confidential manner.
- 2.5 Within thirty (30) days, the Mayor, or Deputy Mayor as the case may be, shall deal with the allegation at his or her discretion, and then shall report in writing the action taken to the Member who made the allegation.
- 2.6 If the Member who made the allegation is not satisfied with the action taken by the Mayor or Deputy Mayor, that Member may request an "in-camera" session of the Town of Cochrane Council in order that the allegation can be discussed.
- 2.7 Notwithstanding these procedures, any Member may make an allegation of misconduct against another Member or an employee directly to the department of Alberta Municipal Affairs or to the Court of Queen's Bench.

3. End of Procedure

Approval



Julian deCocq, C.A.O.

September 29/09
Date