

# COUNCIL POLICIES AND PROCEDURES

## SECTION - I

### ETHICS POLICIES

**SUBJECT:** Values & Ethics Conduct Policy Number I-3

**APPROVAL DATE:** November 2, 2016

**PREAMBLE:** The Municipality of the District of Guysborough (MODG) believes that the proper operation of municipal government requires that Elected Officials and Employees:

- Be independent of any external influences or pressures.
- Be impartial and responsible to the citizens of the Municipality.
- Should not use their positions for personal advantage, in order that the public may be confident in the integrity of the government.

As Elected Officials and Employees of the MODG we:

- are MODG's public servants;
- are guided by our values;
- manage and deliver public services in MODG;
- value democratic processes and recognize that our elected officials set this policy; and,
- look to this policy for direction.

As elected Officials and Employees of the MODG we proudly serve the public needs of the Municipality. We support the efforts of our elected officials to develop and implement public policy. We value the trust and confidence of our elected officials and the citizens we serve. We strive to meet the highest expectations of our citizens and know that tasks we undertake are important and often essential.

We value respect, integrity, diversity, accountability, and the public good. We stand by these values, and we believe that they are in the best interest of all citizens of the MODG.

#### **RESPECT:**

As Elected Officials and Employees we respect our citizens and our colleagues. We respect our predecessors who laid the foundations upon which we build. We respect those who inherit the outcomes of our efforts.

As Elected Officials and Employees we:

- recognize good in our colleagues and the citizens we serve;
- are caring and professional;
- work to earn trust and respect; and,
- expect respect.

## **INTEGRITY:**

As Elected Officials and employees we value and provide service that is honest, open, impartial and non-partisan. We are committed to standards of behaviour, safety and expertise befitting our respective duties and responsibilities.

As Elected Officials and Employees we:

- answer to our managers;
- know that our responsibility to the public is an essential concern;
- ensure confidentiality when required and always expect honesty
- will not be compromised with gifts, hospitality, or other benefits; and,
- lead by example.

## **DIVERSITY:**

As Elected Officials and employees we strive to be a welcoming and culturally competent municipality, free of discrimination and representative of the entire MODG. We serve all residents of MODG regardless of race, culture, gender, age, spiritual belief, sexual orientation, mental or physical ability, or any other personal characteristic. We encourage new ideas and work to bring these ideas to life.

As Elected Officials and Employees we:

- support diversity and inclusion in the workplace;
- are creating an environment where differences are valued and respected; and,
- believe that diversity fuels ideas and that ideas fuel progress.

## **ACCOUNTABILITY:**

As Elected Officials and employees we are answerable for our decisions and actions and take responsibility for our successes and failures. We are objective, fair and transparent. We are guided by and act according to democratically established bylaws and policies.

As Elected Officials and Employees we:

- rely on our bylaws and policies for guidance;
- use and encourage the use of transparent and fair processes;
- use public resources efficiently and effectively;
- answer by explaining our decisions and actions; and,
- correct errors as soon as possible.

## **PUBLIC GOOD:**

The Elected Officials create the bylaws and policies that advance the public good. We recognize that the implementation, management and delivery of these bylaws and policies is how the public good is best served and the essence of our work as Councillors and Employees.

As Elected Officials and Employees we:

- are impartial and non-partisan;
- deliver on the Municipality's commitments;
- expect that MODG policy advances the public good;
- are concerned about public safety and the safety of our colleagues; and,
- work to earn the public's confidence.

## **POLICY IN PRACTICE:**

As Employees we are hired under a fair hiring policy that emphasizes fair and competitive processes. We are dedicated and skilled, and seek to attain the highest level of competency. We are front-line staff, administrators, managers, tradespeople, experts and professionals. We are committed to a healthy, safe and supportive workplace and to the enhancement of employee health and job satisfaction. We see promise in diversity and opportunity in new ideas. We take pride in ethical behaviour.

Our values are reflected in our recommendations, decisions and actions. We know that these in turn reflect upon our Municipality. And we recognize that this policy provides ethical guidance for our every action and decision.

We are determined to provide services of consistently high quality to the best of our capability, emphasizing safety, well-being and efficiency. We are engaged with and gain satisfaction from serving our public.

Our five values guide us when making every decision, especially when our decisions are most difficult. If we find ourselves in a situation and in doubt, we ask these questions:

- Who can I ask for advice?
- Can I feel good about my decision?
- Would colleagues support my decision?
- Is this decision lawful and within the MODG policy?

When our concern is of an ethical nature, we can discuss it with our colleagues or managers. If our situation concerns a conflict between work and personal interests, we refer to the section on Conflict of Interest.

## **POLICY DIRECTIVES:**

### **Dedicated Services:**

Elected Officials and Employees should be loyal to the objectives expressed by the citizens and the programs developed to attain those objectives. Elected Officials and Employees

should adhere to the rules of work and performance established as the standard for their positions by the appropriate authority.

Elected Officials and Employees should not exceed their authority or breach the law or ask others to do so, and they should work in full cooperation with other elected officials and employees unless prohibited from so doing by law or by officially recognized confidentiality of their work.

**Fair & Equal Treatment – Interest in Appointments:**

Soliciting Elected Officials, directly or indirectly, in order to obtain preferential consideration in connection with any appointments to the municipal service shall disqualify the candidate for appointment except for those positions filled by appointment by the Elected Officials.

**Use of Public Property:**

No Elected Official or Employee shall request or permit the use of municipal-owned vehicles, equipment, materials or property for personal convenience or profit, except when such services are available to the public generally or are provided as municipal policy for the use of such official or employee in the conduct of official business.

**Obligation to Citizens:**

No Elected Official or Employee shall grant any special consideration, treatment or advantage to any citizen beyond that which is available to every other citizen.

**Conflict of Interest:**

No Elected Official or Employee, whether paid or unpaid, shall engage in any business or transaction or have a financial or personal interest, direct or indirect, which is incompatible with the proper discharge of their official duties in the public interest or would tend to impair their independence of judgement or action in the performance of their official duties. Personal, as distinguished from financial, interest includes an interest arising from blood or marriage relationships or close business or political association. Specific conflicts of interest are enumerated below for the guidance of elected officials and employees:

- **Incompatible Employment:** No Elected Official or Employee shall engage in or accept private employment or render services for private interests when such employment or service is incompatible with the proper discharge of their official duties or would tend to impair their independence of judgement or action in the performance of their official duties.
- **Disclosure of Confidential Information:** No Elected Official or Employee shall, without proper legal authorization, disclose confidential information concerning the property, government or affairs of the Municipality. Nor shall they use such information to advance the financial or other private interest of themselves or others.
- **Gifts or Favours:** Personal integrity and sound business practices require that relationships with vendors, contractors, or others doing business with the

Municipality be such that no employee can be accused of showing favouritism or bias. Consequently, all municipal employees are prohibited from accepting gifts or favours that would tend to influence them in the discharge of their duties. No Elected Official or Employees shall accept any gift, whether in the form of service, loan, thing or promise from any person, firm or corporation which to their knowledge is interested directly or indirectly in any manner whatsoever in business dealings with the Municipality.

- **Representing Private Interests Before Municipal Agencies or Courts:** No Elected Official or Employee whose salary is paid in whole or in part by the Municipality shall appear on behalf of private interests before any agency of the Municipality. They shall not represent private interests in any action or proceeding against the interests of the Municipality in any litigation to which the Municipality is a party. A councillor may appear before municipal agencies on behalf of constituents in the course of their duties as a representative of the electorate or in the performance of public or civic obligation. However, no Elected Official or Employee shall accept a retainer or compensation that is contingent upon a specific action by a municipal agency.
- **Contracts with the Municipality:** No officer, agent or employee shall have any interest in any contract made by them in their official capacity or by public committee, board, commission or department which they are a member, agent or employee except that an officer, agent or employee of the Municipality may contract with the Municipality or any agency thereof for the sale and purchase of supplies, material or equipment or for the construction of public improvements if:
  - they are not authorized by law to participate on behalf of the Municipality or any agent thereof, in the awarding of the contract;
  - the contract is made upon a competitive bid in writing, publicly invited and publicly opened;
  - all bids received and all documents pertaining to the award of the contract are held available for public inspection for at least three months following the date of such award.
- **Disclosure of Interest in Legislation:** An Elected Official who has a financial or other private interest in any legislation shall disclose on the records of the Council or other appropriate authority, the nature and extent of such interest. This provision shall apply even if the Councillor disqualifies themselves from voting. Any other official or employee who has a financial or other private interest and who participates in discussion with or gives an official opinion to Council shall disclose on the records of the Council or other appropriate authority the nature and extent of such interest.
- **Meetings:** Where an Elected Official or Employee has any direct or indirect pecuniary interest in any matter and is present at a meeting of Council or Committee at which the matter is the subject of consideration, the member shall:
  - as soon as practicable after the commencement of the meeting, disclose the interests and the general nature thereof;

- withdraw from their place as member and leave the room in which the meeting is held for the duration of the consideration of the matter. Whether it be a closed meeting or a meeting that is open to the public;
- refrain from attempting in any way, whether before, during or after the meeting, to influence the decision of Council or Committee with respect to the matter.

**Political Activity:**

No Elected Official or Employee in the administrative service shall use the prestige of their position on behalf of any political party. Elected Officials and Employees shall not take an active part in political campaigns for elected municipal positions. No Elected Official or Employee, whether elected or appointed, shall promise an appointment of any municipal position as a reward for any political activity.

**Sanctions:**

Violation of any provisions of this policy shall raise conscientious questions for the Elected Official or Employee concerned. Violations may constitute a cause for employee suspension, removal from office or employment or other disciplinary action. Any reported incidence of violation of these rules will be subject to investigation by the CAO and/or Council. Sanctions or any disciplinary action shall be decided upon investigation and depending upon the specific circumstances of the case. Reference should be made to the Acts governing municipalities and related legislation for reference to standards of conduct and performance.

**APPLICATION**

This policy applies to all Elected Officials and Employees of the Municipality.

\_\_\_\_\_  
Warden Vernon Pitts

\_\_\_\_\_  
Chief Administrative Officer  
Barry Carroll

\_\_\_\_\_  
Date