POLICY TITLE: Responsible Conduct Guiding Principles Policy (RDKB Elected and Appointed Officials)

ORIGINAL DATE OF APPROVAL: New Policy

REVIEWED BY P&P COMMITTEE: May 9, 2018, Sept. 6, 2018, Jan. 9, 2019

ADOPTED BY BOARD OF DIRECTORS:

Policy: The Regional District of Kootenay Boundary (RDKB) is committed to fostering and achieving high standards of responsible conduct by all RDKB elected and appointed officials.

Purpose: To guide the conduct and set minimum standards as the basis for responsible behavior expected of RDKB elected and appointed officials in fulfilling their roles and responsibilities while providing good governance for decision-making and service delivery.

Key Principles:

Integrity: Being and demonstrating strong ethical principles

- Be truthful, honest and open in all dealings
- Behave in a manner that promotes public confidence in local government, including actively avoiding any perception of conflicts of interest, improper use of office or unethical conduct.
- Uphold public interest, serving citizens diligently to make decisions in the best interests of the community.
- Ensure alignment between stated values and actions, including following through on commitments, engaging in positive communication with the community and correcting errors in a timely transparent manner.

Accountability:
An obligation and willingness to accept responsibility or to account for one’s actions

- Be transparent in how an elected official individually, and a council/board collectively, conducts business and carries out duties.
- Ensure information is accessible and citizens can view the process and rationale behind each decision and action, while protecting confidentiality where appropriate or necessary.
- Accept and uphold that the council/board is collectively accountable for local government decisions and that individual elected officials are responsible and accountable for the decisions they make in fulfilling their roles as council/board members.
- Listen to and consider the opinions and needs of the community in all decision making and allow for discourse and feedback.
**Respect:**

Having due regard for others’ perspectives, wishes, and rights. Displaying deference (respectful of both tradition and legacy enshrined in *Local Government Act* positions as well as their intended functions) to local government offices and officers and the role of local government in community decision making.

- Treat every person, including other members of council/board, staff and the public, with dignity, understanding and respect.
- Show consideration at all times for colleagues and staff, including honouring people’s values, beliefs, ideas, roles, contributions and needs.
- Create an environment of trust, including displaying awareness and sensitivity around comments and language that may be perceived as offensive or derogatory.
- Value the role of diverse perspectives and debate in decision-making.
- Act in a way that is respectful of the roles and responsibilities of the offices of Mayor/Chair and Councillor/Director.
- In local government considerations and operations, value the distinct roles and responsibilities of local government staff as well as the community and commit to fostering a positive working relationship between staff, the public and elected officials.
- Call for and expect respect from the community towards elected officials and staff, and their roles and responsibilities within the local government system.

**Leadership and Collaboration:**

An ability to lead, listen to, and positively influence others, coming together to create or meet a common goal through collective efforts.

- Demonstrate behavior that builds and inspires public trust and confidence in local government.
- Calmly face challenges and provide considered direction on issues, while empowering colleagues and staff to do the same.
- Create space for open expression by others, take responsibly for one’s own actions and reactions and accept the decisions of the majority.
- Accept that it is the equal responsibility of the individual elected official, the council/board as a collective, the community and stakeholders to work together to achieve common goals.
- Be an active participant in ensuring the foundational principles are followed in all local government dealings (e.g. including among elected officials, between council/board members and staff, with community members, with other orders of government, in the decisions of a council/board, and in the delivery of services and other activities of the local government).

**Procedure:** Application of a Code of Conduct (attached)
Statement

As an Elected Official or as an appointed Alternate Director for the Regional District of Kootenay Boundary, I agree to uphold the Guiding Principles for Responsible Conduct Policy as a standard of behavior and as adopted by the Regional District of Kootenay Boundary Board of Directors.

I affirm that I have read and I understand the Regional District of Kootenay Boundary Guiding Principles for Responsible Conduct Policy.

_______________________________________
Signature

_______________________________________
Print Name

___________________________________________
Manager of Corporate Administration/Corporate Officer

___________________________________________
Date
**Procedure:** Application of Code of Conduct

1. **Act in the Public Interest**

   1.1 Recognizing that the Regional District strives to maintain and enhance the quality of life for all RDKB residents through professional, effective, responsive and responsible governance, elected and appointed representatives will conduct RDKB business with integrity in a fair, honest and open manner.

2. **Comply with the Law**

   2.1 Elected and appointed officials shall comply with all applicable federal, provincial and local laws in the performance of their public duties.

3. **General Conduct**

   3.1 The conduct of elected and appointed officials in the performance of their duties and responsibilities with the RDKB must be reasonable, fair, open and honest.

   3.2 Elected and appointed officials will have an obligation to consider issues consistently and impartially.

   3.3 All officials will treat one another, RDKB staff and the public with dignity and respect. They must also refrain from behavior that is an abuse of power or otherwise amounts to discrimination, harassment, personal charges, threats, intimidating or demeaning behaviour, or verbal attacks upon the character, professionalism or motives of others.

   3.4 When making decisions, elected and appointed officials must consider all relevant facts, opinions and analysis of which they should be reasonably aware.

4. **Respect for Process**

   4.1 All duties must be performed in accordance with the procedures and rules of order established by RDKB bylaws and policies, which govern 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**

   5.1 Elected and appointed officials shall prepare themselves for meetings, listen courteously and attentively to all discussions before the body, and focus on the business at hand. During meetings, cell phones should be turned off or kept on silent or vibrate. Meeting attendees shall not interrupt other speakers, make personal comments or comments not relevant to the business of the meeting, or otherwise disturb a meeting.

6. **Communication, Interactions with Public and Media**

   6.1 Elected and appointed officials will accurately communicate the decisions of the Board, even if they disagree with the majority decision of the Board and will refrain from making disparaging comments about other elected or appointed officials or the Board’s decision itself.

   6.2 Members shall publicly share substantive information that is relevant to a matter under consideration by the Board of Directors or Board Committee, which they may have received from sources outside of the public decision-making process.
7. E-Mail Best Practices

7.1 The RDKB strives to convey a professional image of the organization at all times, and will work to ensure that all forms of communication from the RDKB meet specific standards of professionalism, graphic standards, plain language and other best practices in organizational communication.

7.2 All RDKB staff and elected officials will attempt to use E-Mail best practices as set out in this document when communicating with customers, clients, or any third party on behalf of the organization via e-mail.

7.3 RDKB staff and elected officials are expected to ensure that all electronic communications relating to Regional District business are consistently professional.

7.4 Proof-read e-mails before sending. Use a spell-checker and grammar-checker to ensure that the message is free of mechanical and grammatical errors. In the case of very important e-mails, consider having a colleague proofread a draft before the e-mail is sent. Poor writing can tarnish the RDKB’s reputation and credibility.

7.5 Ensure the accuracy of e-mail content. Consult the appropriate authoritative source to verify that what you are writing is correct before you hit “send.”

7.6 Use appropriate language and a professional tone in e-mail messages. It is often very difficult to determine when a person is using humour, sarcasm, or irony in an e-mail. Please note that e-mails that include humour, sarcasm or irony may be misunderstood and should be avoided.

7.7 Avoid using all capital letters. Messages typed in ALL CAPITALS are the e-mail equivalent of yelling, and may be taken as offensive.

7.8 Keep messages short, simple, clear and concise.

7.9 Remember that when you send an e-mail, that e-mail becomes part of a permanent electronic record. Whatever is written in your e-mail, including content and form, will be on the record until deleted.

7.10 While it’s common to use short-hand for personal notes, it is unacceptable for business communication. Standard abbreviations (including: e.g., Mrs., Mr., etc.) will continue to be acceptable, however, the use of excessive or colloquial abbreviations (LOL, ROFL, TTYL, BRB, etc.) is unacceptable.

7.11 Ensure that all messages are sent only to the intended recipients. Avoid sending messages to parties that are not directly affected by the contents of the message.

7.12 Ensure that all messages include a completed, appropriate and accurate Subject line and a signature.

7.13 E-mails that contain financial information (Quotes, costs, etc.) must be checked for accuracy.

7.14 Under no circumstances should Regional District of Kootenay Boundary confidential business information be sent out to any third party using e-mail, without prior written authorization from the Regional District of Kootenay Boundary.

7.15 Archive all messages that are older than 3 months.

7.16 Outgoing e-mails shall include a signature block indicating the sender’s name, title and contact information and follow RDKB graphic standards. The sender shall be responsible for ensuring that paper copies of e-mail strings are kept where circumstances warrant.
8. **Decisions Based on Merit**

8.1 Members shall base their decisions on merits and substance of a matter at hand, rather than on unrelated circumstances.

9. **Conflict of Interest**

9.1 All officials shall be aware of their responsibilities under the *Local Government Act* and shall fulfill the requirements of conflict of interest provisions set out in the *Community Charter*. It is expected officials will make decisions that benefit the community. They are to be free from undue influence and not act or appear to act in order to gain financial or other benefits for themselves, family, friends or business interests.

9.2 Elected and appointed officials must fully disclose to the Board Chair and Chief Administrative Officer any direct or indirect pecuniary interest, any bias or undue influence with respect to any matter they are dealing with immediately.

9.3 Any conflict or incompatibility between personal interests and the impartial performance of public or professional duties must be resolved appropriately and in accordance with statutory requirements.

9.5 Confidential information gained through official positions must not be used for securing a private benefit for the official and or anyone else.

9.6 Elected and appointed officials must not expect or request preferential treatment for themselves or their family because of their position. They must also avoid any action that could lead members of the public to believe that they are seeking preferential treatment.

10. **Gifts and Personal Benefits/Favours**

10.1 Elected and appointed officials must not, directly or indirectly accept a gift or personal benefit that is intended to influence the member’s performance of their respective official duties related to the RDKB and never accept a gift of cash. Officials must ensure that their immediate family members do not receive gifts or personal benefits that could appear to an impartial observer to be an attempt to challenge this policy or to influence or secure a favour from the local government.

11. **Confidential Information**

11.1 All officials shall be aware of their responsibilities under the *Local Government Act* (the application of the *Community Charter*) which sets out legislation and requirements with respect to Duty to Respect Confidentiality and which all elected and appointed officials shall fulfill. Any collection, use and disclosure of personal and or private business information must be managed in accordance with the *Freedom of Information and Protection of Privacy Act* and for the purpose for which it is intended to be used.

11.2 Elected and appointed officials shall respect the confidentiality of information concerning property, personnel or legal affairs of the RDKB and of information provided by a third party to the RDKB on a confidential basis. The confidentiality of information concerning property, personnel, RDKB legal affairs or information provided by a third party to the RDKB on a confidential basis must be respected and must not be disclosed without authorization, nor used to advance personal, financial or other private interests.

11.3 Elected and appointed officials shall not disclose or release to anyone, confidential information acquired by virtue of their office in either oral, electronic or written form except when required by law or authorized by the Board to do so.
11.4 The deliberations and decisions made in a closed meeting must not be released to the public until the Board approves, by resolution, that this information be released to the public.

11.5 Except in the normal course of duties, elected and appointed officials must not in any way change or alter RDKB records or documents.

12. Use of Public Resources

12.1 Officials are not entitled to use public resources, which are not available to the overall public such as equipment, supplies or facilities or other private property other than for the discharge of their duly authorized duties dealing with the RDKB business and in no case for private or personal gain, convenience or profit.

13. Political Activity

13.1 Elected and appointed officials must not undertake campaign related activities on RDKB property and must not use any RDKB property for campaign work including RDKB photocopiers, computers, and email lists etc.

14. Interactions with Members, Staff and Advisory Bodies

14.1 All officials must act in accordance with the Board's Procedure Bylaw and the conduct guidelines outlined in this document.

14.2 Elected and appointed officials must not direct or influence, or attempt to direct or influence any staff or advisory body member in the exercise of their duties or functions and are not to contact or issue instructions to any of the Regional District's contractors, tenderers, consultants or other service providers.

14.3 Members must not make public statements attacking or reflecting negatively on Regional District staff or invoke staff matters for political purposes.

15. Implementation

15.1 The Regional District’s Guiding Principles for Responsible Conduct Policy and the code of conduct procedure will be provided to candidates running in RDKB elections for Electoral Area Director. Candidates elected to the RDKB Board of Directors or individuals appointed to the RDKB Board as municipal Directors and those appointed as municipal Alternate Directors, as well as individuals appointed to other RDKB bodies, committees, commissions will be requested to sign the Policy affirming they have read and understand the Regional District’s Responsible Conduct Guiding Principles Policy. The Policy and code of conduct procedure will be reviewed at orientation sessions for new and returning elected and appointed officials following each election or by-election.

16. Compliance and Enforcement

16.1 All officials are to abide by the requirements of the Local Government Act, Community Charter and the Guiding Principles for Responsible Conduct Policy and shall endeavor to resolve disputes in good faith recognizing that interpersonal malice and rancor do not facilitate good governance.

16.2 The RDKB Board of Directors may impose sanctions, such as motion of censure or rescinding the appointment to a committee on those whose conduct does not comply with the District's ethical standards and or for breaching the Policy and its code of conduct procedure.
16.3 To ensure procedural and administrative fairness, Members who are accused of violating any provision of the Code of Conduct 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 these allegations. Before considering a sanction, the Board of Directors must ensure that a member has: 1) received a written copy of the case against him or her and 2) a minimum of one week or the time between two consecutive meetings, whichever is greater, to prepare a defense against any allegations and 3) an opportunity to be heard.

16.4 The Corporate Officer shall receive and retain all reports and other written and electronic records.

17. **Impact on Board Decisions**

17.1 A violation of this Code of Conduct shall not be considered a basis for challenging the validity of a RDKB decision.