

DISTRICT OF PORT HARDY

POLICY MANUAL

COUNCIL POLICY
COUNCIL

MAYOR AND COUNCIL CODE OF CONDUCT POLICY

POLICY #CP1.13

Approved: January 12, 2021

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Background:

In response to requests from many local governments, in 2018 the Local Government Management Association (LGMA) developed a best practices document to help local governments develop codes of conducts for their members. The foundations of the policy are to provide general standards of conduct that reflect the foundational principles of integrity, respect, accountability, and leadership and collaboration. In turn, this will provide guidance and set shared expectations of behavior for Council Mayor and Councillors in their work as a collective body to provide for good governance to their communities.

Policy:

A. Application:

This Code of Conduct applies to the Mayor and Councillors of the District of Port Hardy. It is each Councillors individual responsibility to uphold both the letter and the spirit of this Code of Conduct in their dealings with each other, staff, and the public.

As Elected officials, Mayor and Councillors must conduct themselves in accordance with the law. This Code of Conduct is intended to be interpreted and applied by Mayor and Councillors in a manner that is consistent with all applicable Federal and Provincial Laws, as well as the bylaws and policies of the local government, the common law and any other legal obligations which apply to members individually and as a collective decision-making Council.

The code of conduct includes compliance with the District's policy to prevent bullying and harassment (Policy 6.13)

DEFINITIONS:

Bullying and Harassment: *any inappropriate conduct or comment by an individual towards an employee*

that caused or has the potential to cause that employee to be humiliated or intimidated. This excludes any reasonable action taken by an employer or supervisor relating to the management and direction of workers or the place of employment.

Bullying and harassing behaviours include but are not limited to:

Verbal aggression or yelling

- *Humiliating actions or practices*

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- *Hazing*
- *Spreading malicious rumours*
- *Using derogatory names towards someone*
- *Bullying and harassing behaviours do not include:*
- *Expressing differences of opinions*
- *Offering constructive feedback, guidance, or work-related advice about behaviour*
- *Reasonable action taken by District of Port Hardy or a supervisor relating to management and direction of employees or the place of employment (e.g. counselling, managing a worker's performance, taking reasonable disciplinary actions, assigning work, implementation of disciplinary actions).*

Cyber Bullying: *Bullying that occurs using electronic communication (email, text messaging, social*

networking etc.). Incidents of cyber bullying should be reported and will be investigated in accordance to the procedures outlined within this Policy.

In general, if you are not sure whether certain actions are considered bullying, ask yourself whether or not a reasonable person would consider the actions taken to be acceptable or unacceptable.

Discrimination: *In accordance with the Human Rights Code of British Columbia [RSCB 1996] (Chapter 210), discrimination occurs when someone is treated differently and/or poorly because of one of the following:*

- | | | | |
|---------------------------------------|---|-----------------------|-------------------------|
| <i>*race</i> | <i>*colour</i> | <i>*ancestry</i> | <i>*place of origin</i> |
| <i>*religion</i> | <i>*marital status</i> | <i>*family status</i> | <i>*sex</i> |
| <i>*physical or mental disability</i> | <i>*sexual orientation</i> | <i>*age</i> | |
| <i>*political belief</i> | <i>*criminal or summary conviction that is unrelated to the employment of that person</i> | | |

Harassment is the unintended or intended, unwelcome verbal, visual or physical behaviour. Harassment has

the intent or effect of interfering with an individual's or group of individual's work performance and creates

a hostile work environment.

Sexual Harassment means any objectionable emphasis on the sex of an individual; be it verbal, physical or

by innuendo where:

- *submission to such conduct becomes either explicitly or implicitly a term or condition of employment;*
- *submission to or rejection of such is used as a basis for employment decisions;*
- *such conduct has the purpose or effect of interfering with work performance; or*
- *such conduct creates an intimidating, hostile or offensive working environment.*

Sexual Harassment is a form of harassment that calls for particular awareness and sensitivity.

B. Foundational Principles of Responsible Conduct

1. **Integrity** – Conduct that upholds the public interest and that is based on honesty and the active demonstration of ethical principles.
2. **Respect** - Conduct that creates an environment of trust by demonstrating due regard for the perspectives, wishes and rights of others.
3. **Accountability** - Conduct that demonstrates a member’s willingness to accept responsibility for their actions.



4. **Leadership and Collaboration** - Conduct that demonstrates an ability to lead, to listen to, and to positively influence others while encouraging individuals to come together to meet a common goal through collective efforts.

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C. Standards of Conduct

1. Integrity: Integrity is demonstrated by the following conduct whereby Mayor and Councillors will:

- be truthful, honest, and open in all dealings, including those with other members, staff and the public.
- ensure that their actions are consistent with the shared principles and values collectively agreed to by the Council.
- follow through on their commitments, correct errors in a timely and transparent manner, and engage in respectful communication with the community.
- direct their minds to the merits of the decisions before them, ensuring that they act based on relevant information and principles, and in consideration of the consequences of those decisions.
- behave in a manner that promotes public confidence in all of their dealings.

2. Respect: Respect is demonstrated through the following conduct by Mayor and Councillors who will:

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

3. Accountability: Accountability is demonstrated through the following conduct by Mayor and Councillors who will:

- be responsible for the decisions that they make and be accountable for their actions and the actions of the collective Council.
- listen to and consider the opinions and needs of the community in all

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decision- making and allow for appropriate opportunities for input and feedback.

- carry out their duties in an open and transparent manner so that the public can understand the process and rationale used to reach decisions and the reasons for taking certain actions.

4. Leadership and Collaboration: Leadership and collaboration is demonstrated through the following conduct by Mayor and Councillors who will:

- behave in a manner that builds public trust and confidence in the local government.
- 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, but once a decision has been made, all members will accept the decision of the majority and speak with one voice about the decision and its rationale.
- recognize that vigorous discourse is part of the democratic process and encourage constructive discourse while empowering other members and staff to provide their perspectives on relevant issues.
- as leaders of their communities, calmly face challenges, and provide considered direction on the issues of the day while empowering their colleagues and staff to do the same.
- recognize and value the distinct roles and responsibilities others play in providing good governance and commit to fostering a positive working relationship between other members, staff, and the public.
- recognize the importance of the role of the chair of meetings and always treat that person with respect.

5. Acknowledgement:

- To be signed by all Mayor and Councillors.

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I hereby acknowledge that I have read, understand, and will adhere to the District of Port Hardy Mayor and Council Code of Conduct Policy

Signature

Date
