



CITY OF WEST KELOWNA COUNCIL POLICY

SUBJECT: CODE OF RESPONSIBLE CONDUCT

DEPARTMENT: ADMINISTRATION

GUIDING PRINCIPLE:

The City of West Kelowna is an open, fair, ethical, and accountable local government, where Council will conduct oneself with principles such as integrity, accountability, respect, leadership, and collaboration in a way to provide good governance to our community.

Council members must adhere to the key values of the foundational principles to responsible conduct identified within this policy and comply with all applicable federal, provincial, and local laws in the performance of their public duties.

PURPOSE:

To outline the shared standards and expectations with respect to conduct for the purpose of promoting responsible ethical behaviors of elected officials and to ensure compliance.

FRAMEWORK:

City of West Kelowna's Council has the authority to make decisions that affect the daily lives of citizens, families, businesses, and other community stakeholders. Additionally, Council establishes a long-term vision for the community through citizen engagement, collaboration and informed decision making.

City of West Kelowna's Council under the *Local Government Act* of British Columbia has the authority to act as an independent, responsible, and accountable order of government with the purpose of:

- providing good government for our community;
- providing services to be determined necessary or desirable for all or part of our community; and
- fostering the current and future economic, social, and environmental well-being of our community to enhance the quality of life for all.

Responsible conduct is founded on four foundational principles that provide a basis for how Council members fulfill roles, responsibilities, relationships with one another, staff and with the public.

The four foundational principles will guide acceptable behaviors to assist with providing good governance and decision making.

- a) ***Integrity*** is conduct and behavior that upholds public interest and promotes confidence with the public with our local government actions, behaviors and decision making.

Therefore, Council, must:

- conduct oneself honestly and ethically,
- be open and truthful,
- protect confidentiality where necessary,
- behave in a manner that promotes public confidence,

- make decisions based on the best interest of the community,
- follow through on their commitments in a timely manner;
- be sincere; and
- demonstrate actions to be consistent.

b) **Respect** is conduct and behavior that creates an environment of trust by demonstrating due regards, deference, and consideration for the perspectives, wishes, beliefs, traditions, values, and rights of others.

Therefore, Council, must:

- value the perspectives, wishes, and rights of others,
- respect processes,
- respect each other and staff,
- listen courteously and attentively during deliberations,
- treat others with dignity, understanding and respect,
- be sensitive to how their choice of words, tone, conduct and behaviour can be perceived by others as offensive, rude, derogatory, disrespectful, discriminatory, harassing, bullying, aggressive, combative, insulting, inflammatory or otherwise hurtful or inappropriate, and
- recognize and value distinct roles and responsibilities.

c) **Accountability** is conduct and behavior that demonstrates the willingness to accept responsibility for one's conduct, behaviors, actions, and decisions.

Therefore, Council must:

- accept responsibility or account for one's actions,
- be transparent about how duties are carried out,
- ensure information and decision-making processes are accessible and protect confidentially where necessary,
- correct errors in a timely, transparent, and reasonable manner,
- listen to opinions and needs of others, and
- act in accordance with the law, legislation, bylaws, and policies.

d) **Leadership and Collaboration** is conduct and behavior that demonstrates the ability to lead, guides, actively listen, mobilize, and positively influence others, while encouraging people to come together to meet around a common goal or objective, or to resolve conflict through collective means and efforts.

Therefore, Council, must:

- lead, listen and positively influence others,
- demonstrate behaviors that builds public confidence and trust in our local government,
- educate on harmful impacts of discriminatory conduct,
- create space for open expression,
- take responsibility for own actions,
- advocate for shared decision-making and actively work together to achieve common goals,
- foster positive working relationships, and
- adhere to the foundational principles of responsible conduct.

CONFLICTS OF INTEREST:

Council members will:

- a) have a statutory duty to comply with the conflict-of-interest provisions as set out in the *Community Charter*.
- b) be free from undue influence and not act or appear to act to gain financial or other benefits for themselves, family, friends, or associates, business or otherwise.
- c) approach decision-making with an open mind that is capable of persuasion.

USE OF CITY PROPERTY, ASSETS, AND PREMISES

Council members will:

- a) not make unauthorized use of any City property, assets, or other resources for personal reasons. In addition, Council Members must ensure that any property (including cash, cheques, documents, inventories, and equipment) in their care is properly secured and always protected. This responsibility extends to the use and security of any corporate credit.
- b) use municipal property, equipment, services, supplies, and staff resources only for the performance of their duties as a Council Member, subject to the following limited exceptions:
 - (i) municipal property, equipment, service, supplies, and staff resources that are available to the public may be used by a Council Member for personal use upon the same terms and conditions as members of the public, including booking and payment of any applicable fees or charges; and
 - (ii) electronic communication devices, including but not limited to desktop computers, laptops, tablets, and smartphones, which are supplied by the City to a Council Member, may be used by the Council Member for limited personal use, provided that the use is strictly personal and not offensive, inappropriate or for personal gain and complies with any applicable City bylaw, policy, procedure, or direction, which may be amended from time to time.

CONFIDENTIALITY OF INFORMATION

Current and previous Council members must:

- a) not use or disclose any confidential information acquired during their Council term, unless to do so is in accordance with the *Freedom of Information and Protection of Privacy Act*.
- b) Council Members must keep the following information confidential:
 - (i) information that is personal,
 - (ii) information that constitutes the proprietary information of a third party, individual, or group,
 - (iii) information that might reasonably be regarded as having been disclosed to the Council Member in confidence,
 - (iv) information is of a sensitive nature, and
 - (v) information that imparts to the person in possession of such information an advantage not available to the public generally.

(b) Council Members must:

- (i) only access information needed for City business and as it relates to their work as Council Member,
- (ii) only use confidential information for the purpose for which it is intended to be collected and used,
- (iii) refrain from discussing or disclosing any confidential information with or to other staff, or with persons outside the organization except as authorized,
- (iv) not disclose any detail on Council's closed deliberations or specific detail on whether an individual Council Member voted for or against an issue, and
- (v) regard the information with respect to complaints to be treated in confidence in all instances by all Council.

COMPLIANCE:

Council members will:

- a) recognize that Responsible Conduct is essential to providing good governance.
- b) acknowledge that Responsible Conduct is based upon four foundation principles: Integrity, Respect, Accountability, and Leadership and Collaboration to which the City and Council members individually and collectively subscribe.
- c) expressly acknowledge that they are individually and collectively committed to conducting themselves in a responsible and ethical manner and are furthermore committed to upholding the law as they exercise their authority, fulfill their obligations, discharge their duties, and in all their dealings, with every person, including their elected colleagues, staff, members of the public, the media and other community and local government stakeholders.
- d) be responsible to assure that these ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of the governance of our municipality.

INFORMAL COMPLAINT PROCEDURE

Council members are responsible for positive, proactive conflict resolution and are encouraged to first speak to the individual with which they have a conflict prior to initiating the formal complaint procedure and encourage them to stop. Council members are not required to complete an informal complaint procedure prior to pursuing the formal complaint procedure outlined below.

FORMAL COMPLAINT PROCEDURE

If the Council member who has identified or witnessed conduct by a Council member that they reasonably believe is in contravention of this Policy must inform the Mayor and Chief Administrative Officer about the issue. The Mayor and Chief Administrative Officer will make the necessary considerations and determine next steps. Each formal complaint will be handled in a fair process with confidentiality and transparency within a reasonable timeframe. If a decision cannot be concluded, an independent third party will be appointed by the CAO or Mayor.

Impact on Council Decisions:

A violation of this Code of Conduct shall not be considered a basis for challenging the validity of the City of West Kelowna's Council decision.

Acknowledgement and Sign Off:

City of West Kelowna Council members, for the duration of their Council term, will be required to demonstrate their commitment to responsible and ethical conduct by signing off on this policy once adopted.

Mayor Gord Milsom

Councillor Stephen Johnston

Councillor Rick de Jong

Councillor Tasha Da Silva

Councillor Jason Friesen

Councillor Carol Zanon

Councillor Millsap

DATE APPROVED: REVISED:
