

Code of Conduct

Minutes of a Regular Meeting of Amherst Town Council

Held in Council Chambers

Monday, January 26, 2009 at 7:00 PM

PRESENT: Mayor Rob Small

Councillor Robert Angel

Councillor George Baker

Councillor Robert Bird

Councillor Dale Fawthrop

Councillor David March

Councillor Terry Rhindress

Greg Herrett, CAO

Rebecca Purdy, Executive Assistant

4.5 Code of Conduct for Elected Municipal Officials, RFD#2008106

Moved by Councillor Fawthrop, seconded by Councillor March that Council adopt the Code of Conduct for Municipal Elected Officials Policy, #10350-20, as requested by the UNSM.

MOTION CARRIED

TOWN OF AMHERST POLICY NUMBER 10350-20

TITLE: Code of Conduct for Elected Municipal Officials

PURPOSE: The public expects the highest standards of professional conduct from Members elected to local government. The purpose of this Code is to establish guidelines for the ethical and inter-personal conduct of Members of Council ("Members"). The Council is answerable to the community through democratic processes and this Code will assist in providing for the good government of the Town of Amherst.

STANDARDS OF CONDUCT: Members shall uphold the law and at all times:

- a) Seek to advance the common good of the municipality as a whole while conscientiously representing the communities they serve;
- b) Perform the functions of office truly, faithfully and impartially to the best of their knowledge and ability in accordance with the following core values:
 - i. Integrity – giving the municipality's interests absolute priority over private individual interests;

- ii. Honesty – being truthful and open;
 - iii. Objectivity – making decisions based on a careful and fair analysis of the facts;
 - iv. Accountability – being accountable to each other and the public for decisions taken;
 - v. Leadership – confronting challenges and providing direction on the issues of the day.
- c) Uphold this Code as a means of promoting the standards of behavior expected of Members and enhancing the credibility and integrity of Council in the broader community.

COUNCIL RESPONSIBILITIES:

The Council (or its designated committee) will:

- a) review the municipality's Code of Conduct as required and make any amendments considered appropriate;
- b) review, consider or take other action concerning any violation of the Code of Conduct which is referred to Council for consideration.

Where there is any conflict between the Code of Conduct and the requirements of any statute of the provincial or federal government, provincial or federal statutes shall take precedence

MEMBER RESPONSIBILITIES:

Conduct To Be Observed

Members are agents of the public whose primary objective is to address the needs of the citizens. As such, they're entrusted with upholding and adhering to the by-laws of the municipality as well as all applicable provincial and federal laws. As public servants, Members must observe a high standard of morality in the conduct of their official duties and faithfully fulfill the responsibilities of their offices, regardless of their personal or financial interests

Dedicated Service

All Members should faithfully work towards developing programs to address the needs of the citizens in the course of their duties. Members should strive to perform at a level which is expected of those who work in the public's interest.

Respect For Decision-Making Process

All Members recognize the responsibility of the Mayor to accurately communicate the decisions of the Council, even if they disagree with such decisions, such that respect for the decision-making processes of Council is fostered.

Conduct At Meetings

Members shall respect the chair, colleagues, staff and members of the public present during Council meetings or other proceedings of the municipality. Meetings shall provide an environment for transparent and healthy debate on matters requiring decision-making.

Release of Confidential Information Prohibited

No Member shall disclose or release to any member of the public any confidential information acquired by virtue of their office, in either oral or written form except when required by law or authorized by the municipality to do so. Nor shall Members use confidential information for personal or private gain, or for the gain of relatives or any person or corporation.

Gifts and Benefits

No Member shall show favouritism or bias toward any vendor, contractor or others doing business with the municipality. Members are prohibited from accepting gifts or favours from any vendor, contractor or others doing business with the municipality personally, or through a family member or friend, which could give rise to a reasonable suspicion of influence to show favour or disadvantage to any individual or organization.

Use Of Public Property

No Member shall request or permit the use of municipal-owned vehicles, equipment, materials or property for personal convenience or profit, except where such privileges are granted to the general public. Members shall ensure that the business of the municipality is conducted with efficiency and shall avoid waste, abuse and extravagance in the provision or use of municipal resources.

Obligations To Citizens

No member shall grant any special consideration, treatment, or advantage to any citizen or group of citizens beyond that which is accorded to all citizens.

Interpersonal Behaviour

Members shall treat every person, including other Members, corporate employees, individuals providing services on a contract for service, and the public with dignity, understanding and respect and ensure that their work environment is free from discrimination, bullying and harassment.

Community Representation

Members shall observe a high standard of professionalism when representing the municipality and in their dealings with members of the broader community.

GOOD GOVERNANCE

Members accept that effective governance of the municipality is critical to ensuring that decisions are taken in the best interests of all stakeholders and to enable the municipality to function as a good corporate citizen.

GOVERNMENT RELATIONSHIPS

Members recognize the importance of working constructively with other levels of government and organizations in Nova Scotia and beyond to achieve the goals of the municipality.

CONFLICT OF INTEREST AVOIDANCE

Members are committed to making decisions impartially and in the best interests of the municipality and recognize the importance of fully observing the requirements of the Municipal Conflict of Interest Act, R.S.N.S. 1989, c. 299 with regard to the disclosure and avoidance of conflicts of interest.

REPORTING BREACHES

Persons who have reasons to believe that this Code has been breached in any way are encouraged to bring their concerns forward. No adverse action shall be taken against any Member or municipal employee who, acting in good faith, brings forward such information.

CORRECTIVE ACTION

Any reported violation of the Code will be subject to investigation by the Council. Violation of this Code by a Member may constitute a cause for corrective action. If an investigation finds a Member has breached a provision of the Code, Council may impose corrective action commensurate with the nature and severity of the breach, which may include a formal warning or reprimand to the Member.

COMPLIANCE WITH CODE

Members acknowledge the importance of the principles contained in this Code which will be self-regulated by Council. Councillors are required to sign a "Statement of Commitment to the Code" (Attachment A) within seven (7) days of taking the Councillors' oath pursuant to section 147 of the Municipal Elections Act, R.S.N.S. 1989, c. 300

