

POLICY DESCRIPTION:**Council Code of Conduct****POLICY NUMBER: COU 0010****DATE APPROVED: 18/02/2014****DATE REVISED:**

Purpose of Policy: The Code of Conduct Policy provides elected members of the Davidson Town Council with consistent guidelines for an acceptable standard of professional conduct. The Code addresses in concise manner the broader issues of ethical responsibility and encourages greater transparency and accountability.

The Code of Conduct incorporates four fundamental aims to result in:

- a) Better decision making;
- b) Greater community participation in the decisions and affairs of the Council;
- c) Greater accountability of the Council to its community;
- d) More efficient and effective local government.

The Code provides a guide and a basis of expectations for elected members. It encourages commitment to ethical and professional behavior and outlines principles in which individual and collective local government responsibilities may be based.

Rules of Conduct: Elected members acknowledge their activities, behavior and statutory compliance obligations may be scrutinized in accordance with prescribed rules of conduct as described in *The Municipalities Act and Regulations*.

Role of Elected Members: An elected member's primary role is to represent the community, and the effective translation of the community's needs and aspirations into a direction and future for the Town of Davidson will be the focus of the elected member's public life.

An elected member is part of the team in which the community has placed its trust to make decisions on its behalf. Therefore, the community is entitled to expect high standards of conduct from its elected representatives.

In fulfilling the various roles, elected members' activities will focus on:

- Achieving a balance in the diversity of community views to develop an overall strategy for the future of Davidson;
- Achieving sound financial management and accountability in relation to the Town of Davidson's finances;
- Ensuring that appropriate mechanisms are in place to deal with the prompt handling of residents' concerns;

- Working with other governments and organizations to achieve benefits for the community at both a local and regional level;
- Having an awareness of the statutory obligations imposed on elected members and on the Town of Davidson.

Conflict and Disclosure of Interest:

Conflict of Interest:

- a) Elected members will ensure that there is no actual or perceived conflict of interest between their personal interests and the impartial fulfillment of their professional duties.
- b) Elected members will file written notice with the Town Administrator describing an intention to undertake a dealing in land within the Town of Davidson or which may otherwise conflict with the Council's functions (other than purchasing the principal place of residence).
- c) Elected members who exercise a function will make disclosure before dealing with relatives or close friends and will disqualify themselves from dealing with those persons.
- d) An elected member is to disclose any interest he or she has in the matter to be discussed at a council or committee meeting that will be attended by the member. Any disclosure is to be made at the meeting immediately before the matter is discussed and is to be recorded in the minutes of that meeting.

Pecuniary Interest:

Elected members will adopt the principles of disclosure of pecuniary interest as contained within *The Municipalities Act*.

Disclosure of Interest:

- a) Elected members will disclose, in a written return or at the relevant meeting, the interests which might be in conflict with their public or professional duties.
- b) Whenever disclosure is required, recommended in this Code, or otherwise seems appropriate, it will be made promptly, fully, and in writing.

Personal Benefit:

- a) **Use of Confidential Information:** Elected members will not use confidential information to gain improper advantage for themselves or for any other person or body, in ways which are inconsistent with their obligation to act impartially, or to improperly cause harm or detriment to any person or organization.
- b) **Improper or Undue Influence:** Elected members will not take advantage of their position to improperly influence other members or staff in the performance of their duties or functions, in order to gain undue or improper (direct or indirect) advantage or gain for themselves or for any other person or body.

Conduct of Elected Members:

Personal Behaviour:

- a) Elected members will:
 - a. Act, and be seen to act, properly and in accordance with the requirements of the law and the terms of this Code;
 - b. Perform their duties impartially and in the best interests of the Town of Davidson, uninfluenced by fear or favour;
 - c. Act in good faith (i.e. honestly, for the proper purpose and without exceeding their powers) in the interests of the Town of Davidson and the community;
 - d. Make no allegations which are improper or derogatory and refrain from any conduct, in the performance of their official duties, which may cause any reasonable person unwarranted offence or embarrassment;
 - e. Always act in accordance with their obligation of fidelity to the Town of Davidson.
- b) Elected members will represent and promote the interests of the Town of Davidson, while recognizing their special duty to their own constituents.
- c) Elected members will:
 - a. Bring to notice of the Mayor any dishonesty or possible dishonest on the part of any other member and, in the case of an employee, to the Town Administrator;
 - b. Be frank and honest in their official dealings with each other.
- d) Elected members will, at all times, exercise reasonable care and diligence in the performance of their duties, being consistent in their decision making by treating all matters on individual merits.
- e) Elected members will be as informed as possible about the functions of Council, and treat all members of the community honestly and fairly.
- f) Elected members will comply with any lawful order given by any person having authority to make or give such an order, with any doubts as to the propriety of any such order being taken up with the superior of the person who gave the order and, if resolution cannot be achieved, with the Town Administrator.
- g) Elected members will give effect to the lawful policies of the Town of Davidson, whether or not they agree with or approve of them.
- h) Elected members will ensure compliance with proper and reasonable administrative practices and conduct and professional and responsible management practices.
- i) Elected members will ensure that information provided will be used properly and to assist in the process of making reasonable and informed decisions on matters before the Council.

Corporate Obligations:

- a) Elected members need to be not only responsive to community views, but to adequately communicate the attitudes and decisions of the Council. In doing so, elected members should acknowledge that:
 - a. As a member of Council, there is respect for the decision making processes of the Council which are based on a decision of the majority of the Council;
 - b. Information of a confidential nature ought not be communicated until it is no longer treated as confidential;
 - c. The official decisions of the Council on approvals, permits and the like are only to be communicated in an official capacity by a designated officer of the Council;
 - d. Information concerning adopted policies, procedures, and decisions of the Council is conveyed accurately.

Relationships between Elected Members and Staff:

An effective elected member will work as part of the Council team with the Town Administrator and other staff. That teamwork will only occur if elected members and staff have a mutual respect and cooperate with each other to achieve the Council's corporate goals and implement the Council's strategies. To achieve that, elected members need to:

- a) Accept that their roll is leadership, not a management or administrative one;
- b) Acknowledge that they have no capacity to individually direct members of staff to carry out particular functions;
- c) Refrain from publicly criticizing staff in any way that casts aspersions on their professional competence and credibility;
- d) Address concerns regarding staff with the Town Administrator only.

Appointments to Committees:

As part of their representative roll, elected members are often asked to represent the Council on external organizations. Also, as part of the municipal governance structure/organization, members are expected to sit on internal committees of council. It is important that elected members:

- a) Clearly understand the basis of the appointment;
- b) Provide regular reports on the activities of the organization.

Elected members receive remuneration for attending any committee meetings that they have been appointed to. However, elected members will not be eligible for committee appointments should the elected member be in property tax arrears with the Town of Davidson.

Elected members will only claim or accept travelling and sustenance expenses arising out of travel related matters which have a direct bearing on the services, policies, or business of the Town of Davidson, in accordance with Town of Davidson policy.

