

**THE CORPORATION OF THE
TOWNSHIP OF SPRINGWATER**



CODE OF CONDUCT

A GUIDE FOR TOWNSHIP STAFF

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OVERVIEW

This Code of Conduct (the Code) establishes standards for Staff of The Corporation of the Township of Springwater in the conduct of their duties. The Code goes beyond the minimum standards of behavior and sets the highest ideals and working values toward which all public servants should be working.

The Code applies to all employees in all classifications of employment and at all locations within the Corporation.

In representing the Township, one must maintain a high standard of personal and professional conduct in order to preserve the trust and confidence assigned by the Corporation and the community. Staff must ensure that they adhere to this Code by conducting themselves with integrity, competency, and impartiality.

Staff is expected to follow the Corporation's policies, procedures, protocols and guidelines, including, but not limited to, those included in the Code.

The Code does not supersede the law or the responsibilities and ethics set by regulating bodies of specific professions.

Staff will be referred to as "Township Representatives" throughout the Code of Conduct document.

PUBLIC RELATIONS

1. All communications shall be handled in a courteous and respectful manner with an objective and impartial attitude. Members of the public have a right to present their views and Township Representatives have a right to explain Council and/or Corporate policy. If there is an impasse, request or advise the individual to write to the Chief Administrative Officer (C.A.O.) with his/her concerns.

Council of the Township of Springwater may choose to adopt a comprehensive Communications Policy to further elaborate this section of the Code.

CONFIDENTIALITY AND DISCLOSURE OF INFORMATION

2. Records and information held by the Corporation shall be treated in accordance with the provisions of corporate records policies and the *Municipal Freedom of Information and Protection of Privacy Act*, 1990.
3. Only the C.A.O., Senior Management and the Communications Coordinator shall comment to the media.

4. Only the C.A.O., Senior Management and the Communications Coordinator shall make comment to members of the public on policy matters and litigation matters, and they must keep in mind confidentiality at all times. Where at all possible, media contact on specific matters should be to a designated point-person rather than multiple sources.

CONFLICT OF INTEREST

5. A Township Representative will be considered to have a conflict of interest where his/her private objectives conflict with civic objectives. As such, Township Representatives shall not:
 - A. Engage in any activity which may result in an interference with the impartial discharge of their duties and responsibilities to the Corporation;
 - B. Place themselves in a position in which they are under obligation to any person who might benefit from their position in the Corporation;
 - C. Deal with any application, agreement or contract with the Township for any loan, grant, award or land matter in which the Township Representative, his/her spouse or family member has a pecuniary interest;
 - D. Gain personal benefit, directly or indirectly, from municipal authority or from any confidential knowledge relating to civic-related matters;
 - E. Disclose or release, by any means, confidential information which the Township Representative has acquired by virtue of his/her position; and,
 - F. Sell goods, materials or services to the Township except when the same opportunity is made to other persons or companies on an equal basis and with the goods, materials or services provided outside of regular hours of employment and the C.A.O. being advised.
6. Township Representatives should be aware that it is unacceptable for them to act on a matter in which they have either a real or an apparent conflict of interest. Township Representatives will take steps to avoid as best as they can real or perceived conflicts of interest. For assistance, they should seek guidance from the appropriate member of Senior Management or to the C.A.O.
7. When a conflict of interest exists, the Township Representative must withdraw from direct involvement and refrain from any comment on the issue that might influence the decision-making process. Staff must report all conflicts of interest to the appropriate Senior Manager and, where the employee is a Senior Manager, to the C.A.O.
8. By-law No. 2008-011 Procurement Policies and Procedures sets out further Conflict of Interest rules concerning the procurement of goods and services. Township Representatives shall consult Section 5 of By-law 2008-011 prior to undertaking any

transaction in which a possible Conflict of Interest could be inferred.

POLITICAL INVOLVEMENT

9. Municipal resources, including Township property and assets, shall not be used on or provided toward any election campaign.
10. Any member of Staff who intends to be a candidate in a municipal election should consult the *Municipal Elections Act* and *Municipal Act, 2001* for stipulations concerning leave of absence and resignation. According to Section 30 (1) of the *Municipal Elections Act*:

‘an employee of a municipality or local board is eligible to be a candidate for and to be elected as a member of the Council or local board that is the employer if he or she takes an unpaid leave of absence beginning the day the employee is nominated and ending on voting day.’

In addition, Section 30 (4) of the Act stipulates;

‘if the employee is elected to the office, he or she shall be deemed to have resigned from the employment immediately before making the declaration of office referred to in subsection 232 (1) of the Municipal Act, 2001 or Section 209 of the Education Act, 1990 as the case may be.’

GIFTS AND BENEFITS

11. In order to preserve the image and integrity of the Township, the receipt of gifts and benefits should be discouraged. Nonetheless, the Township recognizes that moderate hospitality is an accepted courtesy of a business relationship.

Township Representatives shall use common sense when dealing with situations where a gift is offered in appreciation of a service provided. Township Representatives may only accept a gift or benefit that is of minimal value, and under no circumstances may cash be accepted. In addition, a gift may only be accepted once the service has been provided, so as not to leave the impression that a gift is required before Township Representatives will perform their duties.

Where it is suspected that a gift or benefit may have a value in excess of \$50.00, the C.A.O. must be consulted. Work-related gifts delivered to an individual’s home are also governed by this Section.

12. All gifts received by Township Representatives will be entered into the Gift Registry database. The database will include the following details:

- A. Name of the individual who received the gift and the capacity in which he or she was serving at the time;
- B. A description of the gift;
- C. The person or group who presented it;
- D. The date on which the gift was received;
- E. The occasion on which the gift was given;
- F. The estimated value of the gift, if known;
- G. What the individual intends to do with the gift; and
- H. Whether the gift should remain with the Township if the recipient leaves.

13. Political contributions made or collected in accordance with the *Municipal Elections Act*, 1996 and reported by law are not considered gifts within the Code of Conduct.

OUTSIDE EMPLOYMENT

14. A Township Representative shall not engage in any outside work, business activity, or other undertaking that is not associated with his/her duties for the Township:
- A. While on duty;
 - B. That interferes with the performance of his/her duties for the Township;
 - C. That creates a Conflict of Interest;
 - D. That is in conflict with a by-law, policy, plan or objective of the Township or that is in any way contrary to the interests of the Township;
 - E. From which the employee derives some form of benefit by virtue solely of his/her employment with the Township; and/or
 - F. Without the prior knowledge of the C.A.O.
15. If the Township Representative is unsure whether the carrying out of outside work, business activity or other undertaking would cause one of the conditions described in Section 14, the employee should seek prior guidance from his/her immediate supervisor.

USE OF TOWNSHIP PROPERTY AND ASSETS

16. Township Representatives shall only use Township property, assets and resources (including intellectual property) for activities associated with the discharge of their official duties unless provided for in another policy.
17. Electronic equipment and networks are corporate assets and are not for private use or communications. As such, Township Representatives must be aware that the use of these assets may be monitored. (Refer also to the Township of Springwater's Internet and Email policies)
18. Township property and assets, including electronic equipment and networks, are not to be used for election or campaign purposes.

HARASSMENT AND DISCRIMINATION

19. Discrimination, as defined in the *Ontario Human Rights Code, 1990*, will not be tolerated by any Township Representative against any other Township Representative or member of the public.
20. No form of verbal or physical harassment by Township Representatives will be tolerated whether it involves other Township Representatives or members of the public. Harassment means '*engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome;*' *Ontario Human Rights Code, 1990*.
21. In addition to the forms of harassment defined in the *Ontario Human Rights Code, 1990*, the Code prohibits any behaviour, comments and/or communications that are offensive in nature, that are degrading and demoralizing, and/or that are not conducive to a respectful workplace.
22. Council of the Township of Springwater may choose to adopt a comprehensive Harassment Policy in the future, supplementing Sections 19 to 21 of the Code.

ALCOHOL, ILLEGAL SUBSTANCES, AND IMPAIRMENT

23. Township Representatives shall not consume or use alcohol or illegal drugs while on duty or carrying out any responsibilities for the Township.
24. It is understood that business responsibilities from time to time may see alcohol offered in an entertainment setting. Limited consumption on these rare occasions will be tolerated.
25. Township Representatives shall not be impaired while performing any duties or carrying out any responsibilities for the Township. The definition of impairment shall be consistent with the standard set by Section 253 of the *Criminal Code of Canada* for the legal operation of motorized vehicles and vessels. According to this definition, impairment entails a Blood Alcohol Concentration (BAC) of 0.05 percent or greater (i.e. fifty milligrams of alcohol in 100 milliliters of blood).
26. Council of the Township of Springwater may choose to adopt a comprehensive policy on alcohol, illegal substances and impairment in the future, supplementing Sections 23 to 25 of the Code.

ILLEGAL ACTIVITY

27. Township Representatives shall not engage in any illegal activity while on Township

property, while using Township resources (such as vehicles), or while engaged in Township business. In addition, all matters of illegal activity committed against the Township by Township Representatives including, but not limited to, any manner of fraudulent activity or the theft of Township property will be treated with zero tolerance.

ENFORCEMENT

28. The C.A.O. will ensure to the best of his/her ability that Township Representatives are aware of this Code and that it is followed.
29. Any Township Representative who has direct knowledge of a breach of this Code shall advise the C.A.O. in confidence.
30. Where it is determined that a member of Staff has committed a breach of this Code, disciplinary action shall be taken. Breach of the Code is subject to discipline under the Township's progressive discipline program.

The C.A.O. in his/her discretion shall be responsible for applying the discipline. An employee may appeal the C.A.O.'s decision(s) to Council, with the Mayor serving as a primary contact.

31. In any conflict involving the C.A.O., Council shall apply the appropriate discipline. The Mayor shall act as the primary contact under these circumstances.
32. Staff is advised to annually review the Code of Conduct and will be required to sign an annual declaration that they are aware of the Code, versed in it, and will uphold it. This document (attachment) will be kept in their personnel file.

GENERAL

33. Township Representatives may seek clarification of the Code from the C.A.O.
34. This document shall be referred to as the 'Code of Conduct: A Guide for Township Staff'.
35. Reference to any by-law, Provincial / Federal legislation, or Code is for reference purposes only. Township Representatives should directly consult By-laws, Acts, or Codes for any amendments or revisions.
36. The Code of Conduct should be reviewed as needed.