

COUNCIL POLICY



Policy Name	Council Code of Conduct
Policy Number	TBD
Effective Date	December 5, 2023
Approved By	Council

PURPOSE

The City of North Vancouver has a priority to be “A City for People” and “A Vibrant City” that is welcoming, inclusive, safe, accessible, and supports the health and well-being for all. The purpose of this Council Code of Conduct (“Code”) is to establish a set of shared expectations for conduct and behaviour to ensure that the duties and obligations of Council are performed with the highest ethical standards. Responsible conduct is grounded on agreed upon foundational principles, which further enhances the City’s ability to provide good governance to the community.

COUNCIL CODE OF CONDUCT

1. Application

- 1.1 This Code applies to Council members while acting in their capacity as elected officials. It is each Council member’s responsibility to uphold the Code in their dealings with other Council members, City Staff, and members of the public.

2. Scope

- 2.1 This Code applies to Council members acting in the course of their duties as elected officials.
- 2.2 This Code does not apply to City Staff.
- 2.3 This Code will be administered in accordance with the:
 - a) relevant Federal Legislation including the *Canadian Charter of Rights and Freedoms*;
 - b) applicable Provincial Legislation including, but not limited to, the *Community Charter*, the *Local Government Act*, the *Human Rights Code* and the *Freedom of Information and Protection of Privacy Act*, all as amended or replaced from time to time; and
 - c) relevant City bylaws and policies including, but not limited to, *Council Procedure Bylaw, 2015, No. 8500*, as amended or replaced.

3. Definitions

- 3.1 The following terms have the defined meanings in this Code:
 - a) “**Business Associate**” means someone who is closely connected to a member of Council due to the business in which they work together;

- b) “**CAO**” means the municipal officer appointed by Council to serve as the Chief Administrative Officer of the City pursuant to Section 147 of the *Community Charter*;
- c) “**City**” means The Corporation of the City of North Vancouver;
- d) “**City Records**” are documents, data or recorded information, regardless of media or format, created, received and maintained in the custody and control of the City;
- e) “**City Staff**” means the officers or employees of the City, which includes volunteers or contractors authorized to act on behalf of the City and persons appointed to City committees, commissions and boards. This does not include Council members;
- f) “**Corporate Officer**” means the municipal officer appointed by Council to serve as the Corporate Officer for the City pursuant to Section 148 of the *Community Charter*;
- g) “**Council**” means the elected Council of the City of North Vancouver;
- h) “**Council members**” means the Mayor and Councillors of the City of North Vancouver;
- i) “**Family member**” means a spouse or common-law partner, brothers and sisters, father and mother, children (including biological, adopted, foster and stepchildren) grandchildren, aunts and uncles, nieces and nephews and mother-in-law and father-in-law; and
- j) “**Personal Information**” means recorded information regarding an identifiable individual, other than contact information. Personal information comprises all recorded information about an identifiable individual, with the exception of name and business contact information. If an individual is identifiable from the information, it is considered to be personal.

4. Foundational Principles (Set out in the “Principles for Codes of Conduct Regulation” under the *Community Charter*)

4.1 Council recognizes that responsible conduct is based on the following principles:

- a) Council members must carry out their duties with **integrity**;
- b) Council members are **accountable** for the decisions that they make, and the actions that they take, in the course of their duties;
- c) Council members must be **respectful** of others; and
- d) Council members must demonstrate **leadership and collaboration**.

5. Standards of Professional Behaviour

5.1 **Integrity** is demonstrated through the following conduct:

- a) Council members will ensure that their actions are consistent with the foundational principles; and

- b) Council members will abide by their oath of office sworn upon taking office as a member of Council, as well as the meeting protocol outlined in the *Council Procedure Bylaw, 2015, No. 8500*, as amended or replaced.

5.2 **Accountability** is demonstrated through the following conduct:

- a) Council members will listen and consider the opinions and needs of the community in all decision-making processes;
- b) Council members will carry out their duties and obligations in an open and transparent manner, in accordance with the *Local Government Act* and the *Community Charter*, and
- c) Council members, individually and collectively, accept responsibility for their actions and decisions.

5.3 **Respect** is demonstrated through the following conduct:

- a) Council members will be truthful and honest in all dealings, including those with other Council members, City Staff, and members of the public; and
- b) Council members will treat every person with dignity and respect their values, beliefs, and contributions to discussions.

5.4 **Leadership and Collaboration** are demonstrated through the following conduct:

- a) Council members will behave in a manner that builds public trust and confidence in local government and models the conduct expected of them as set out in the Code; and
- b) Council members will collectively lead and positively influence others to create or meet a common goal.

6. Interactions with City Staff

- 6.1 Council members will not interfere with, hinder or obstruct City Staff in performing their roles, responsibilities, powers, duties or functions, including those powers, duties and functions that were delegated, in accordance with Section 154 of the *Community Charter*.
- 6.2 Council members will comply with human rights and health and safety legislation by respecting City Staff and not bullying, intimidating, harassing or denigrating City Staff in public or private settings.
- 6.3 Council members will not persuade City Staff, in their municipal roles, to be involved in political activities including, but not limited to, activities related to campaigning for elected office or supporting a political candidate or party.

7. Confidentiality

- 7.1 Council members will not disclose confidential information obtained in the course of their duties, except as required or authorized by law or in accordance with Section 117 of the *Community Charter*.

- 7.2 Council members will comply with the provisions of *the Freedom of Information and Protection of Privacy Act* and the policies and guidelines as established by the City, including, but not limited to, not disclosing personal information they may receive from a person in communication with the City that is not in the public domain.

8. City Resources

- 8.1 Council members will not request, use or permit the use of public resources, such as City Staff time, City equipment, City supplies or facilities, for private gain or personal purposes.
- 8.2 All City Records, including correspondence, databases and communications, including email, text messages and voicemails, created or stored using City resources, or created or received in the conduct of City business, are the property of the City.
- 8.3 City Records, including but not limited to, emails, text messages and voice messages that document City business, held in the custody or control of the City, are subject to requests made in accordance with the *Freedom of Information and Protection of Privacy Act*.

9. Conflict of Interest

- 9.1 Council members will be alert to and avoid any conflict between their personal interests and:
- a) a direct or indirect pecuniary interest in the matter; or
 - b) another interest in the matter that constitutes a conflict from the *Community Charter* including, but not limited, to a Family member or Business Associate who could stand to realize a personal benefit from a favourable decision on the matter, a bias or pre-judgment or undue influence.
- 9.2 Council members will abide by the Conflict of Interest protocol outlined in *Council Procedure Bylaw 2015, No. 8500*, as amended or replaced, as well as all statutory requirements set out in Part 4 – Division 6 of the *Community Charter*, as amended from time to time. If a Council member is unsure or unclear of a conflict, the individual is expected to seek independent legal advice.

10. Formal Council and City Communications

- 10.1 The Mayor, or in the Mayor's absence, the Acting Mayor, will serve as the City's official spokesperson in relation to media inquiries directed to Council or press releases regarding decisions of Council, City strategy or policy matters and/or on any other matters that warrant a response from the City.
- 10.2 In an effort to promote the respect and integrity of the decision-making process, Council members will accurately communicate the decisions of Council even if they disagree with the decision of the majority. Once a decision of Council is made, that resolution stands as Council's viewpoint.
- 10.3 When speaking for themselves as individuals in written forms of communication or when addressing the media, Council members will preface their opinions or remarks, relating to City-related business, with the disclaimer "in my personal opinion" or a similar phrase, to clearly indicate that the statement does not reflect the City as a whole or Council's position or decision on a matter.

10.4 When discussing the positions taken by other Council members during a vote on a matter, Council members will refrain from making disparaging comments about the integrity, motivation or competence of other Council members.

11. Use of Social Media

11.1 Council members' social media profiles will adhere to this Code.

11.2 Council members will not engage in conduct that would bring the integrity of themselves, Council or the City into disrepute.

11.3 When speaking for themselves as individuals, Council members will preface individual opinions or remarks, relating to City-related business, with the disclaimer "in my personal opinion" or a similar phrase, to clearly indicate that the statement does not represent or reflect Council's position or decision on a matter.

12. Compliance and Enforcement

12.1 Council members have the primary responsibility to ensure that the standards outlined within this Code are understood and met.

12.2 If a Council member wishes to make a formal complaint, a written statement must be made outlining the contravention and the parties involved. Anonymous complaints will not be accepted.

12.3 The formal complaint must be submitted to the Chief Administrative Officer within 30 days of the alleged contravention. The complaint will be brought forward to a Closed meeting of Council.

12.4 A violation of this Code will not be considered a basis for challenging the validity of a Council decision.

DOCUMENT HISTORY

Date	Action	By
December 4, 2023	Approved	Council