

BYLAW NO. 02-2020

A COUNCIL CODE OF ETHICS BYLAW

The Council for the Rural Municipality of Keys No 303 in the Province of Saskatchewan enacts as follows:

1. This Bylaw shall be referred to as the “Council Code of Ethics Bylaw”

PART I CODE OF ETHICS

Code of Ethics for Members of Council

1. LEGAL REQUIREMENTS

- a. This bylaw has been created to comply with section 93.1 of *The Municipalities Act* and as outlined in section 3.1, Schedule 1, of *The Municipalities Regulations*.
- b. This Bylaw shall apply to:
 - i. The Council of the Rural Municipality of Keys No 303
 - ii. The Hamlet Board of the Organized Hamlet of Crystal Lake

2. PRINCIPLES

- a. As members of council, we recognize that our actions have an impact on the lives of all residents and property owners in the community. Fulfilling our obligations and discharging our duties responsibly requires a commitment to the highest ethical standards. As such, the quality of the public administration and governance of the RM of Keys No 303, as well as its reputation and integrity, depends on our conduct as elected officials.

3. PURPOSE

- a. The purpose of this code is to outline basic ethical standards and values for members of council. It is to be used to guide members of council respecting what their obligations are when fulfilling their duties and responsibilities as elected officials.
- b. This code is to be interpreted in accordance with the legislation applicable to the municipality, the common law and the policies and bylaws of the municipality.
- c. It is the responsibility of each member of council to uphold the standards and values set out in this code.

4. STANDARDS AND VALUES

- a. **Honesty**
 - i. Members of council shall be truthful and open in their roles as council members and as members of the communities they serve.
- b. **Objectivity**
 - i. Members of council shall make decisions carefully, fairly and impartially.
- c. **Respect**
 - i. Members of council shall treat every person, including other members of council, municipal employees and the public, with dignity, understanding and respect.

- ii. Members of council shall not engage in discrimination, bullying or harassment in their roles as members of council. They shall not use derogatory language towards others, shall respect the rights of other people and groups, shall treat people with courtesy and shall recognize the importance of the different roles which others play in local government decision making.

d. *Transparency and Accountability*

- i. Members of council shall endeavour to conduct and convey council business and all their duties in an open and transparent manner, other than those discussions that are authorized to be dealt with in a confidential manner in closed session, so that stakeholders can view the process and rationale used to reach decisions and the reasons for taking certain actions.
- ii. Members of council are responsible for the decisions that they make. This responsibility includes acts of commission and acts of omission.

e. *Confidentiality*

- i. Information about the Municipality is governed by *The Freedom of Information and Protection of Privacy Act*.
- ii. As such, members of council shall refrain from disclosing or releasing any confidential information acquired by virtue of their office except when required by law or authorized by council to do so.
- iii. In-camera sessions shall be confidential and discussion therein shall be treated as such.

f. *Leadership and the Public Interest*

- i. Members of council shall attempt to serve their constituents in a conscientious and diligent manner and act in the best interests of the municipality. A member shall strive, by focussing on issues important to the community and demonstrating leadership, to build and inspire the public's trust and confidence in local government.
- ii. Members of council are expected to perform their duties in a manner that will bear close public scrutiny and shall not provide the potential or opportunity for personal benefit, wrongdoing or unethical conduct.

g. *Responsibility*

- i. Members of council shall act responsibly and in accordance with the Laws and Acts of the Parliament of Canada, the Legislature of Saskatchewan, and Municipal Bylaws. Council shall make their decisions based on the various laws of the land.

h. *Conflict of Interest*

- i. Members of Council shall disclose any conflict of interest, either financial or otherwise relating to their responsibilities as members of council, following the policies and procedures of the municipality to the best of their abilities.
- ii. This conflict shall be recorded in the Official Minutes of the Municipality.

i. *Use of Influence*

- i. The Municipality strives to ensure fairness and objectivity in its decision-making process.
 - 1. In this scope, it could be considered a breach for a Councilor to use his or her position to seek to influence a decision of another person to:
 - a. Further their own private interests; or
 - b. To seek to improperly further another person's private interests.

PART II
CONTRAVENTION OF THE CODE OF ETHICS

5. Complaint Procedure

- a. As required by clause 66.1(5)(c) of *The Municipalities Act*, the following section details the procedure for handling contraventions of the code of conduct.
- b. To report an alleged contravention of the code of ethics, a member of council, employee, or member of public may submit Form E, by sending the form directly to Administrator, by mail, e-mail, fax or courier. The complaint will then be presented to council at the next regular meeting of council in an *in-camera* session. Letters could be accepted as well but must have all the necessary information.
- c. Upon receipt of a complaint, Council shall discuss the complaint and take all necessary steps to ensure the complaint is valid.
 - i. This could include, but is not limited to,
 - 1. setting up any applicable committees to investigate,
 - 2. Interviewing any of the parties involved,
 - 3. Request third party assistance in attempting to fix or correct the complaint,
 - 4. Other ideas as deemed by council.
- d. All discussions surrounding alleged and substantiated contraventions of this policy shall be conducted in an *in-camera* session at a meeting of council.
- e. If the claim is found to be substantiated, Council may, by resolution, impose an appropriate penalty detailed in 6(a) (i) to (vi) based on the severity of the contravention of the code of ethics.
 - i. Any action taken by Council should include a time frame to complete the expected remedial action.
- f. The Administrator (Or Reeve if the complaint is against the Administrator) shall inform the claimant, member of council, and any other relevant party of council's decision, which includes:
 - i. Informing the claimant and member of council that the complaint is dismissed, or
 - ii. Informing the complainant and member of council of the corrective action and/or the measures taken to ensure the behavior or activity does not continue.

6. REMEDIAL ACTION IF CONTRAVENTION OCCURS

- a. Should the contravention require action, the following courses of action are available to council include but not limited to:
 - i. An apology, either written and/or verbal to the impacted individual, council, or public as required;
 - ii. Educational training;
 - iii. Repayment of gifts or money received, or if not able, a donation to a charity may be acceptable;
 - iv. Suspension of duties for a specific time frame or until educational training is completed;
 - v. Dismissal of the employee;
 - vi. Reprimand.

PART VII
COMING INTO FORCE

- 7. Bylaw 01-2017 is hereby repealed
- 8. This bylaw shall come into effect on the day of its final passing.

{Seal}

Reeve / Mayor

Administrator

Read a third time and adopted
this ____ day of _____



FORM E
Municipal Employee Code of Conduct/Ethics
Municipal Council Code of Conduct/Ethics

Code of Ethics/Conduct complaint

Application # _____

Please note that knowingly signing a false affidavit may expose you to prosecution under the Criminal Code of Canada.

I, _____ of _____,

(First and Last Name)(Full mailing address)

do solemnly swear/(affirm and declare) that the following contents of this statement are true and correct and hereby request the council of the Rural Municipality of Keys No 303 to (*look into/ conduct an investigation/ inquiry/ follow-up on*) whether or not the following employee or member(s) of the RM Council has/have contravened the Code of Ethics and Code of Conduct:

Member of council or employees: _____

I have reasonable and probable grounds to believe that the above person/people has/have contravened the Code of Ethics/Conduct by reason of the following:

Date and time of Infraction _____Section of Infraction _____

Please include as much information as possible about the following:

1. Location of conduct;

2. provide the particulars and names of all persons involved, and of all witnesses;

3. provide contact information for all people listed;

4. any exhibits can be attached; and

5. if more space is required, please attach additional pages as needed.

(Signature of Complainant)

(Date signed)

For Office Use Only

(Date filed)

Signature of _____
Municipal administrator