



BYLAW NO. 330

A BYLAW TO ESTABLISH A CODE OF CONDUCT FOR REGIONAL DISTRICT DIRECTORS

WHEREAS the purposes of the Regional District include providing good government for its community, pursuant to Part 5 of the *Local Government Act*;

AND WHEREAS the Regional District seeks to maintain and enhance the quality of life for its residents through effective, responsible and responsive government;

AND WHEREAS the Regional District wishes to establish principles and guidelines for the conduct of directors in providing good government for the Regional District;

NOW THEREFORE the Board of Directors of the Strathcona Regional District, in open meeting assembled, enacts as follows:

PART 1 - INTERPRETATION

Definitions

1. In this bylaw, unless the context otherwise requires:

"Board" or **"Regional Board"** includes a committee of the Board or any other body established by the Board to which a director is appointed.

"code" or **"Code of Conduct"** means the Code of Conduct established by this bylaw.

"directors" includes alternate directors and associate members.

PART 2 - GENERAL

Principles and Values

2. The Board of Directors is committed to performing its functions of office truthfully, faithfully and impartially to the best of its knowledge and ability based on the following values:
- (a) to work as a committed team in a spirit of collaboration and community;
 - (b) to be caring and respectful in all interactions and relationships;
 - (c) to be open and honest, and to adhere to the highest standards of ethical conduct;
 - (d) to deliver effective public service through professionalism and creativity; and
 - (e) to be accountable to constituents and to the region as a whole.

General Conduct of Directors

3. Directors must adhere to the key values and provisions of the Code of Conduct and must ensure that:
 - (a) public business is conducted with integrity in a fair, honest and open manner;
 - (b) they respect one another, the public and staff and recognize the unique role and contribution each person has in making the Regional District a better place to work and live;
 - (c) their conduct in the performance of their duties and responsibilities with the Regional District be above reproach;
 - (d) decision-making processes be accessible, participatory, understandable, timely and just, in addition to satisfying the requirements of applicable enactments; and
 - (f) they act with due regard for the broadest public interest.

Unacceptable Behaviour

4. Directors must refrain from abusive conduct, intimidating or demeaning behaviour or verbal attacks upon the character, professionalism or motives of others.

Compliance with Laws

5. Directors must comply with all applicable federal, provincial and local laws in the performance of their public duties including:
 - (a) the *Constitution Act of Canada*;
 - (b) the *Provincial Human Rights Code*;
 - (c) the *Criminal Code*;
 - (d) the *Local Government Act*;
 - (e) the *Community Charter*;
 - (f) laws pertaining to financial disclosures and employer responsibilities; and
 - (g) all relevant Regional District bylaws and policies.

Respect for Process

6. Directors shall perform their duties in accordance with the policies, procedures and rules of order established by the Regional District governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions by the Board.

PART 3 - MEETINGS**Conduct of Meetings**

7. Meetings should be conducted with the objective of making the proceedings as open, transparent, accessible and understandable to the public as possible.

Meeting Preparations

8.
 - (1) Directors shall prepare themselves for meetings, listen courteously and attentively to all discussions before the body, and focus on the business at hand.
 - (2) Cellular phones should be turned off during meetings however, if an urgent matter requires that a director respond to an email during the meeting, the cell phone shall be muted or kept in vibrate mode.

Decorum at Meetings

9. (1) Directors shall not interrupt other speakers, make personal comments or comments not germane to the business of the Board, or otherwise disturb a meeting.
- (2) Meetings should provide an environment for transparent and healthy debate on matters requiring deliberation by the Board.

Meeting Procedures

10. The Board of Directors must act in accordance with the Board's procedure bylaw, Robert's Rules of Order and the conduct guidelines outlined in this bylaw.

Chair's Rulings to be Respected

11. Directors shall respect and abide by rulings of the Chair unless altered by decision of the Board using the procedures available for challenging the Chair.

PART 4 - ADVOCACY

Collaboration and Cooperation

12. It is recognized that directors play a dual role of representing the interests of their respective taxpayers while recognizing the benefits of regional collaboration and cooperation within the democratic process of decision-making as a regional entity.

Recognition of Diverse Interests

13. Directors shall respect the diverse interests of constituents and the role of directors to balance the views of their respective jurisdictions with those of other jurisdictions and, to that end, directors will consider all aspects of an issue, including application of the Board's key values, prior to making decisions that support the Board's strategic objectives.

Board Decisions Paramount

14. While it is not anticipated that all decisions will be unanimous, it is recognized that the decisions of the Board will be the only position portrayed as a corporate decision.

PART 5 – COMMUNICATION AND MEDIA RELATIONS

Regional District Spokespersons

15. The Chair of the Regional Board is the spokesperson for the Regional District on Board matters, and decisions of the Board are to be communicated by the Chair or the Chair's designate.

Administrative and Operational Matters

16. The Chief Administrative Officer or that person's designate is the spokesperson for the Regional District on administrative and operational matters.

Corporate Correspondence

17. All corporate correspondence shall be sent on the letterhead of the Regional District and shall be used for the purpose of obtaining or giving information or conveying the official position of the Regional District established by resolution of the Regional Board.

Director Communications

18. (1) Directors will accurately communicate decisions of the Board even if they disagree with the majority decision of the Board.
(2) Directors may state that they voted against a Board decision but will refrain from making disparaging comments about other directors or the decision itself.
(3) Adherence to the above procedures will affirm the respect for and integrity of the decision-making process of the Regional Board.

Director Advocacy

19. Directors have a responsibility to speak and advocate on behalf of their citizens, however directors shall remain cognizant at all times of the potential for the public or outside parties to misunderstand the different roles of Board members and, with this in mind, directors shall take special care and all appropriate measures when communicating to ensure that they are seen to be speaking as individual directors and not on behalf of the Board unless specifically authorized by the Chair or the Board to do so.

Use of Corporate Letterhead

20. (1) When using Regional District letterhead to present their individual opinions and positions, directors shall expressly state that the views are their own and do not necessarily represent the views of the Regional District as a whole.
(2) Directors shall not use Regional District letterhead for personal matters or to convey an opinion on any matter that has not been specifically approved by the Board.
(3) All correspondence on Regional District letterhead must be forwarded to the corporate office to ensure that proper records are maintained and to ensure compliance with the *Freedom of Information and Protection of Privacy Act*.

PART 6 – STAFF RELATIONS**Interaction with Staff**

21. The Regional Board, acting as a whole, has the sole responsibility to govern the Regional District in accordance with the *Local Government Act*, *Community Charter* and other relevant legislation and, as such, directors must not:
- (a) direct or influence, or attempt to direct, influence or issue instructions to any member of staff in the exercise of their duties or functions;
 - (b) contact or issue instructions to any of the Regional District's contractors, tenderers, consultants or other service providers; or
 - (c) make public statements attacking or reflecting negatively on staff or invoke staff members for political purposes.

Roles and Responsibilities

22. 1) There are distinct and specialized roles expected of staff both in carrying out their responsibilities and in dealing with the Board.
- (2) Directors shall respect and adhere to the Regional District's governance structure in which the Board makes policy decisions and the staff implements those decisions with appropriate advice, information and analysis.

Accountability for Decisions

23. (1) Staff are accountable to the Chief Administrative Officer and the Chief Administrative Officer is accountable to the Board.
- (2) The Chief Administrative Officer is responsible for the efficient and effective operation of the Regional District organization and for ensuring the implementation of Board decisions and, as such, it is inappropriate for directors to involve themselves in matters of administration, departmental management, supervision, personnel or other administrative responsibilities that fall within the jurisdiction of the Chief Administrative Officer.

Board is the Governing Body

24. (1) The Regional District as a corporate body represents the entire Regional District and the Board as a whole is the local government for individual electoral areas.
- (2) The Board as a whole, not individual directors, gives direction to staff through passage of Board resolutions.

Respecting Corporate Priorities

24. (1) Directors shall not request staff to undertake work that has not been expressly authorized by the Board nor shall they;
- (a) interfere with the administrative functions of the Regional District or the professional duties of staff; or
- (b) impair the ability of staff to implement Regional District policy decisions.
- (2) Where a director desires that work be undertaken which has not been authorized, the director shall submit such request directly to the Board or, where the director believes the request is of a minor nature consistent with corporate policies or formal strategic direction, to the Chief Administrative Officer who shall determine if the request can be accommodated without compromising other Board-approved directives or if the request needs to be referred to the Board for consideration of resource allocation.
- (3) Staff will seek the advice and approval of their manager prior to responding to direct requests from directors unless the request is minor or of a day-to-day operational nature.
- (4) Unless provided in response to a formal request under the *Freedom of Information and Protection of Privacy Act*, information provided to a director by staff that would constitute more than a technical clarification will be provided to all directors so that all directors have access to the same information.
- (5) Information provided to a director that is deemed to be significant or which is likely to be used in a Board meeting or in political debate should also be provided to all other directors and to the Chief Administrative Officer.
- (6) Directors are not permitted to request any information or work from staff that is not related to the business of the Regional District.

PART 7 – USE OF PUBLIC RESOURCES

Corporate Resources

25. Directors, staff, volunteers and other persons representing the Regional District shall not use Regional District resources including equipment, supplies, websites, facilities or personnel for purposes other than the discharge of their duly authorized duties in connection with the Regional District and in no event are such resources to be used for personal convenience.

PART 8 – CONFIDENTIAL INFORMATION

Confidential Information Defined

26. Confidential information includes documents and discussions regarding all matters described under section 90 of the *Community Charter* affecting the business affairs of the Regional District as well as information provided by a third party on a confidential basis including, but not limited to the following:
- (a) information discussed or disclosed at a closed meeting of the Board;
 - (b) information that is circulated to directors and marked as confidential; and
 - (c) information that is given verbally in confidence in preparation for or following a closed session of the Board.

Duty to Maintain Confidentiality

27. (1) Directors shall be aware of their responsibilities under the *Local Government Act* and *Community Charter* and shall fulfill the statutory requirements imposed by such legislation.
- (2) Directors, staff and advisory body members shall not disclose or release to anyone, either in oral or written form:
- (a) confidential information acquired by virtue of their office unless required by law or authorized by the Board to do so;
 - (b) the substance of deliberations of a closed meeting of the Board prior to the Board adopting a resolution to release the information to the public; or
 - (c) confidential information that has been otherwise been approved to be released to the public.

PART 9 – IMPLEMENTATION AND ENFORCEMENT

Implementation

28. Upon adoption of this bylaw, the Code of Conduct described in this bylaw becomes effective and it is the responsibility of those persons affected by the provisions of the Code to become familiar with and embrace those provisions.

Compliance

29. The Code of Conduct sets out the expectations of the Board with respect to the standards of conduct for directors and is intended to be self-enforcing through understanding and acceptance of the principles and values from which the Code is derived.

Citation


30. This bylaw may be cited for all purposes as Bylaw No. 330, being Director Code of Conduct Bylaw 2018.

READ A FIRST TIME ON THE 18TH DAY OF JULY, 2018

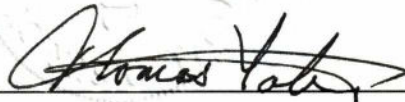
READ A SECOND TIME ON THE 18TH DAY OF JULY, 2018

READ A THIRD TIME ON THE 18TH DAY OF JULY, 2018

RECONSIDERED, FINALLY PASSED AND ADOPTED ON THE 18TH DAY OF JULY, 2018



Chair



Corporate Officer