The Code of Ethical Conduct for Members of Council: City Governance and Diversity

Communication : C1
Diversity and Inclusion Task Force
February 18, 2021
Item # 1



Diversity and Inclusion Task Force meeting
February 18, 2021

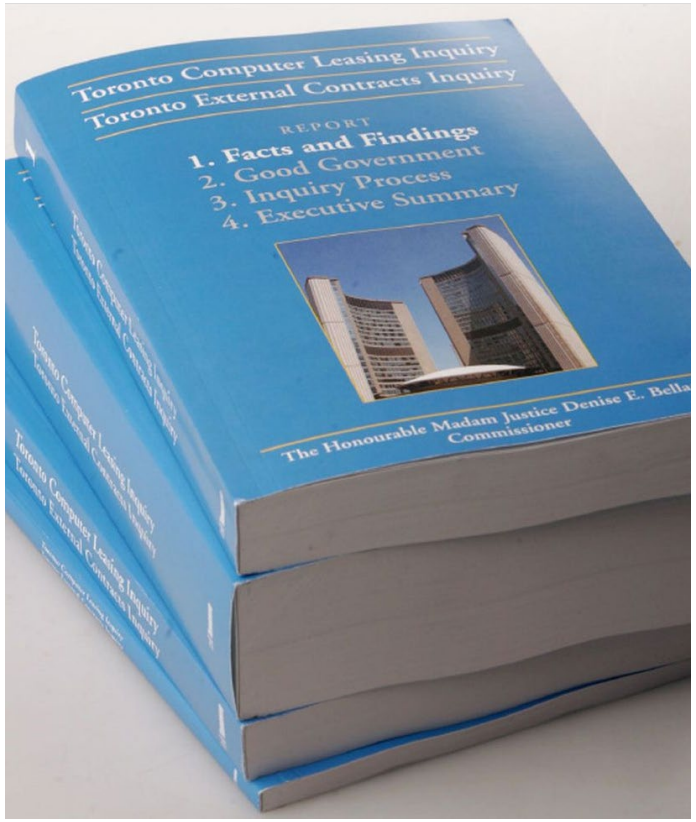
Suzanne Craig
Integrity Commissioner and Lobbyist Registrar

Why Do We Need Codes of Conduct and Integrity Commissioners?

Leadership and ethics are inseparably connected in the public sector. This is even truer in local government due to the proximity between government and constituents. The ability to gain and maintain public trust is a leadership skill that can only be achieved through integrity by using proper ethical tools and trust safeguards such as a Code of Ethics or Code of Conduct, a careful interpretation and application of ethical regulations as legislated … and a consistent approach to public engagement not only when required by the law ***but also when the issues are better understood through public discussion and feedback***. Failing to apply these principles will result in dysfunctional government and community distrust.

Alberto DeFeo, Jerry Berry, Ethics: Achieving Ethical Competencies for Local Government, LGMA Conference, June 2015, Prince George, BC

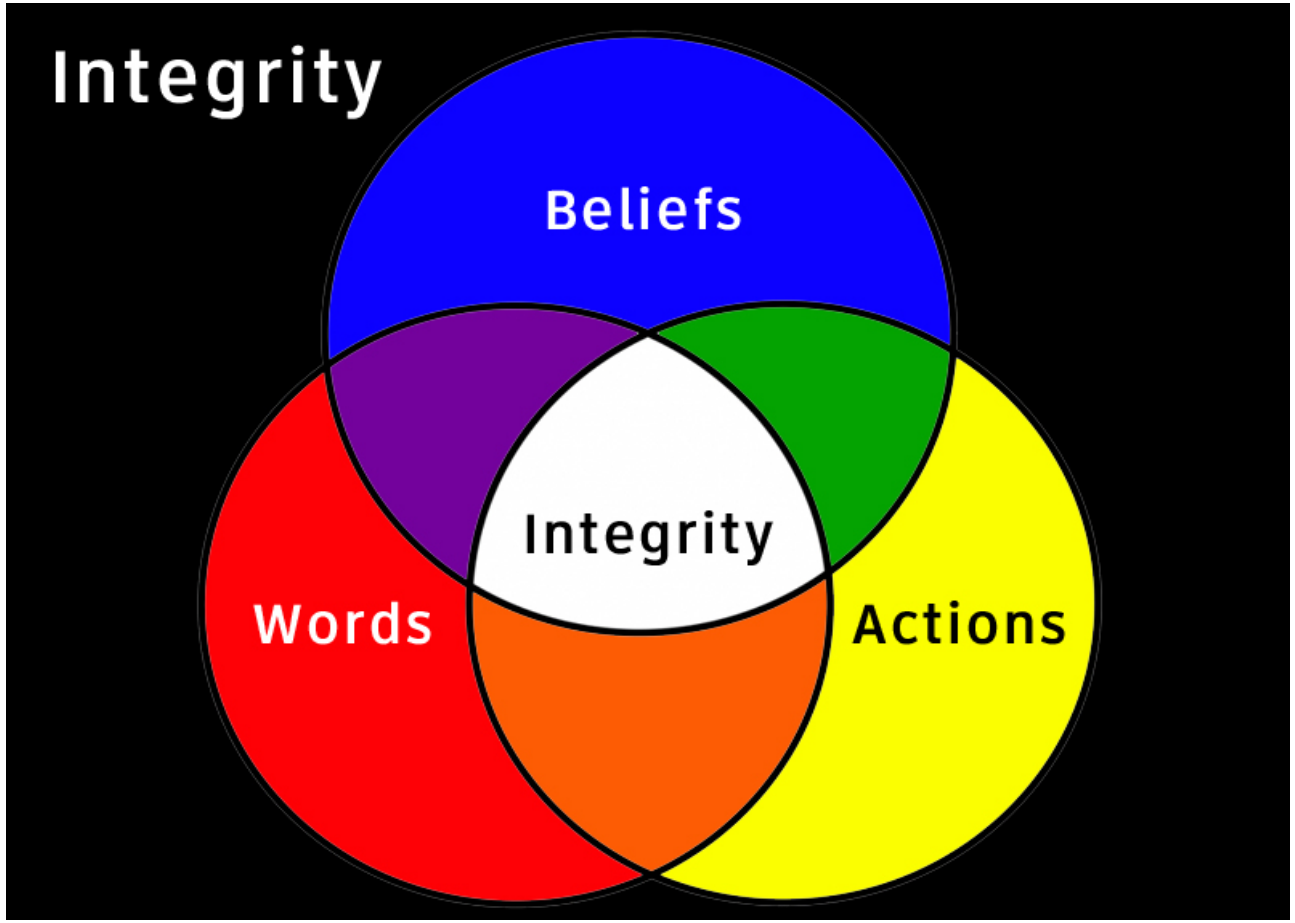
Where it all began…



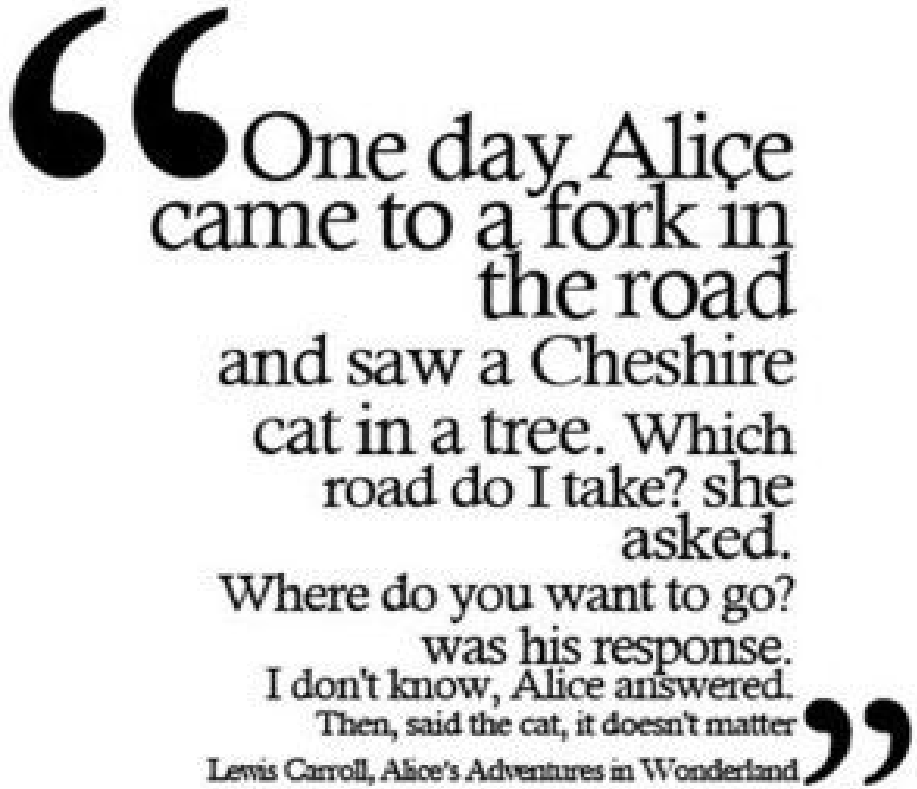
ETHICAL DECISION MAKING



What is Integrity?



Where is the City going?



Your Elected Members of Council

- They:
  - Act as surrogates for the public with fairness toward all and avoid preferential treatment to any specialized interest group
  - Avoid any interest or activity which is in financial and personal conflict with their official duties
  - Responsibly oversee management of the public purse and accept that all monies held by the municipality are for the official duties
  - Facilitate complete, understandable and timely access to information by the public

Council Representation

Council

- *Municipal Act, 2001*, s. 224: it is the role of council to:
  - represent the public and consider the well-being and interests of the municipality
  - develop and evaluate policies and programs
  - determine which services to provide
  - ensure that administrative and controllership policies, practices and procedures are in place to implement decisions
  - ensure accountability and transparency of operations
  - maintain the municipality's financial integrity
  - carry out statutory duties of council

Office of the Integrity Commissioner City of Vaughan

- In 2008, Council voted to approve creation of an independent Office of Integrity Commissioner to improve transparency, accountability and professionalism at the City.
- In 2018, Council voted to approve the Mandatory Lobbyist Registry
- Duties of the Integrity Commissioner include:
  - Receipt and investigation of Code complaint
  - Submission of an Annual Report of the activities of office
  - Provision of advice and recommendations to Members of Council and Local Boards respecting the Code
  - Provision of educational information to Council, staff and the public about the Code and Lobbying Bylaw rules

Policy Objective of the Code of Conduct

Code of Conduct Objective

- Transparency, accountability and public confidence are fundamental components for the effective governance of municipal public bodies responsible to their communities
- The conduct of ***individual*** members of Council and Local Boards must be of the highest standard to maintain the confidence of the public

Code rules

The Code of Ethical Conduct contains rules, all of equal importance that bind each Member

- Confidential Information
- Gifts and Benefits Prohibition
- Use of City Property, Services and Other Resources
- Election Campaign Work
- Improper Use of Influence
- Current and Prospective Employment
- Conduct at Meetings
- Conduct Respecting Staff
- Discreditable Conduct
- City Policies and Procedures
  - Reprisals and Obstruction, Advice of the Integrity Commissioner, Compliance with the Code

Integrity Commissioner jurisdiction

Within the Integrity Commissioner's jurisdiction

- Advice and Recommendations to Members and Staff regarding the Code and the Lobbyist Registry policies
- Enforcement of Code rules through Code Complaint Procedure
- General communications to Council on matters that intersect with Code rules
- Drafting and updating the Code and relevant City policies

Outside the Integrity Commissioner's jurisdiction to investigate

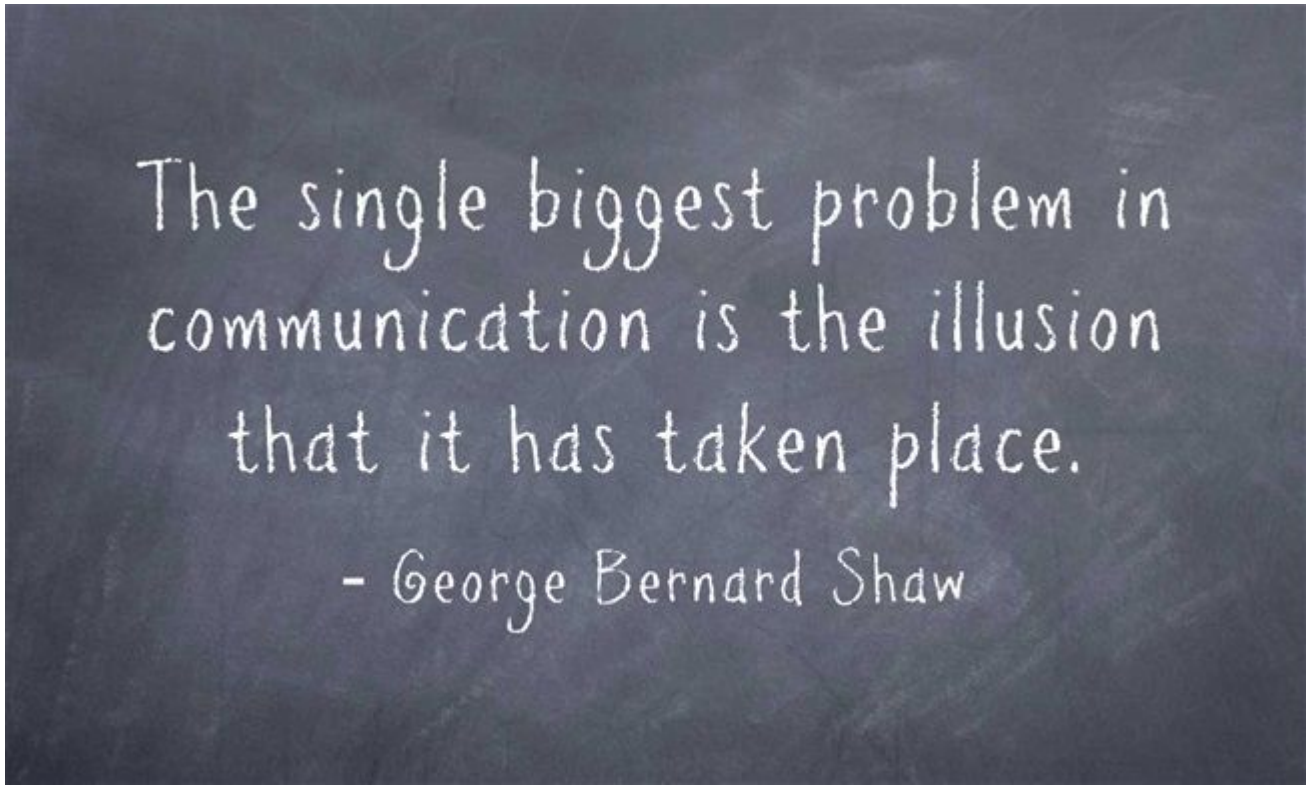
- *Municipal Elections Act* (Compliance Audits)
- Complaints regarding City Administration

Council & Municipal Administration

Council

- A municipal council is the most important decision-making body in local government; an elected body comprised of a mayor/council members
  - council exercises executive, legislative, administrative and quasi-judicial powers and functions
- section 5 of *Municipal Act, 2001*
  - powers of a municipality must be exercised *by its council*
  - powers shall be exercised *by by-law* unless otherwise specifically authorized
- a municipality must ultimately act through its council and by by-law

So, how do we arrive at Ethical Decision-Making?



Thank You!

Suzanne Craig, Integrity Commissioner and Lobbyist Registrar

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Office of the
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City of Vaughan