

**Policy Subject / Title - CODE OF CONDUCT FOR MEMBERS OF COUNCIL AND PUBLIC COMMITTEE MEMBERS**

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**GENERAL PURPOSE OF POLICY**

74.01 Members of Council and Public Committee Members are expected to be reasonably well informed about all aspects of municipal governance and are to carry out their duties in a fair, transparent, impartial and professional manner. The purpose of this policy is to ensure that Members of Council and Public Committee Members understand their responsibilities, and to further ensure that their conduct in carrying out those responsibilities is beyond reproach.

**POLICY APPLICATION**

74.02 This policy extends to sitting Members of Council, including the Mayor, as well as non-elected community representatives that are appointed to standing and ad hoc committees of Region of Queens Municipality.

74.03 This Policy requires each member of Council and Public Committee Member to take responsibility for their respective actions.

**POLICY DETAILS**

74.04 Members of Council and Public Committee Members shall at all times put the public's interest ahead of their own interests.

74.05 Members of Council and Public Committee Members must conduct themselves in such a manner so as to ensure that they are at all times in compliance with the *Municipal Conflict of Interest Act*.

74.06 Members of Council and Public Committee Members shall not disclose to anyone information or discussion that takes place in-camera.

74.07 Members of Council are from time to time appointed to various committees and as such are expected to attend on a regular basis. When unable to attend, Members of Council shall extend regrets to the appropriate Chairperson prior to the meeting.

74.08 Members of Council and Public Committee Members shall, whenever carrying out their duties and responsibilities, conduct themselves in a courteous, respectful and forthright manner observing a high standard of professionalism.

74.09 Members of Council and Public Committee Members shall not grant any special consideration or advantage to any person, group or organization unless pursuant to the dictates and directives of existing statutory or judicial authority.

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- 74.10 Members of Council and Public Committee Members acknowledge that the expenditure of public funds is a privilege granted to them and each member undertakes to the best of their ability to ensure that these funds are expended in the best interests of the people of Queens County.
- 74.11 Use of municipal vehicles, equipment or property shall not be requested by Members of Council or Public Committee Members for personal use unless such use is made available to all members of the public.
- 74.12 Members of Council and Public Committee Members shall use appropriate parliamentary language in debate and shall respect the right of dissent; including refraining from making, publicly or privately, disparaging or inappropriate remarks about other members or their opinions. At no time shall comments or procedures be used deliberately to embarrass a Member of Council, a Public Committee Member or a staff person.
- 74.13 Members of Council and Public Committee Members, whether on Council or Committee, shall respect the decision of the majority, and those Members in such circumstances shall respect the rights of the minority.
- 74.14 Members of Council and Public Committee Members shall refrain from the following activities:
- (a) the use of "insider" information for personal gain;
  - (b) the use of confidential information for any improper purpose;
  - (c) knowingly breaking the law or requesting others to do so;
  - (d) disclosing personal information, including financial data, about any resident or taxpayer in Queens that is not generally available to the public;
  - (e) disclosing the identity of any person(s) filing a complaint with Region of Queens Municipality unless authorized by the complainant(s);
  - (f) disclosing the contents of any property appraisal contracted by the Region, other than the appraised value of the property or properties being valued;
  - (g) publicly discussing any preliminary reports, memorandums, letters or recommendations that have not been dealt with by Council or the appropriate committee;
  - (h) publicly discussing any information that has been provided confidentially or is required by law to be held in confidence;
  - (i) providing false or misleading information in order to influence a policy or direction of Council, or withholding pertinent information in this regard;

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- (j) proposing or giving direction to staff, except through the Chief Administrative Officer;
- (k) treating staff with incivility.

**REPORTING PROCEDURE**

- 74.15 If a Member of Council or Public Committee Member feels that any part of this Code of Conduct has been breached, he/she shall report such breach in writing to the Chief Administrative Officer stating the details of the alleged breach.
- 74.16 If the complaint filed does not relate to the conduct of the Mayor, then the Mayor and the Chief Administrative Officer shall review the complaint and conduct such investigation as deemed necessary, which investigation may include seeking legal advice. The identity of the complainant shall remain confidential unless the complainant waives this requirement.
- 74.17 In the case of a complaint against the Mayor, the Chief Administrative Officer shall then call upon the Deputy Mayor to assist in the handling of the matter.
- 74.18 If it is determined upon the completion of the required investigation that a breach of this Code of Conduct Policy has not taken place, the complainant shall be so advised with an explanation in writing and the file will be deemed confidential and closed.
- 74.19 If it is determined upon the completion of the required investigation that a breach of the Code of Conduct Policy has taken place, the investigative findings shall be presented to Council at an in-camera session. If Council concurs that a breach of this policy has occurred, Council shall then consider the following options in an open Council meeting:
  - (a) request the offending party to remove himself/herself from further involvement in the specific activity under review;
  - (b) take disciplinary action in the form of a public statement outlining the breach and Council's position;
  - (c) take disciplinary action in the form of removing the offending party from the relevant committee;
  - (d) take such other action as Council deems appropriate bearing in mind the severity of the breach.
- 74.20 No action shall be taken against any complainant provided the complaint has been made in good faith.

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74.21 Records relating to all complaints accepted by Council as valid complaints shall be open to public inspection having due regard to Freedom of Information and Protection of Privacy laws.

**RECEIPT OF POLICY**

74.22 All Members of Council and Public Committee Members, upon being sworn into office or receiving letters acknowledging their appointment, shall receive a copy of this policy and by virtue of being sworn or appointed to a committee, acknowledge that they have read, understand and agree to abide by its contents, including compliance with the Municipality's expense and hospitality policies.

Approved by Council: April 10, 2018