



Town of Pictou Code of Conduct Policy

(October 16, 2023)

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Short Title

Town of Pictou Code of Conduct Policy

Repeal

Pictou Town Council Code of Conduct Policy (Dec 15, 2009)

Purpose

The public expects the highest standards of professional conduct from Members elected to local government. The purpose of this Code is to establish guidelines for the ethical and inter-personal conduct of Members of Council ("Members"). The Council is answerable to the community through democratic processes and this policy will assist in providing for the good government of the Town of Pictou.

Policy Objective

- a) Members recognize their role is to represent the interests of the Town as a whole and not specific individuals.
- b) Members are accountable for exercising the powers and discharging their duties honestly, in good faith and in the best interests of the Town. This accountability supersedes the personal interest of any board member.

Legislative Authority

Councils must comply with the Municipal Government Act (Act).

Section 28 of the Act allows Council to set this Policy and expectations of Members.

Furthermore, this policy will apply to members of Committees, both Councillors and citizens, as per Section 24 (4) of the Act.

Policy Presentation

Standards of Conduct

Members shall uphold the law and at all times:

- a) Seek to advance the common good of the municipality as a whole while conscientiously representing the communities they serve;
- b) Perform the functions of office truly, faithfully and impartially to the best of their knowledge and ability in accordance with the following core values:
 - i. Integrity - giving the municipality's interests absolute priority over private individual interests;

- ii. Honesty - being truthful and open;
 - iii. Objectivity - making decisions based on a careful and fair analysis of the facts;
 - iv. Accountability - being accountable to each other and the public for decisions taken; and
 - v. Leadership - confronting challenges and providing direction on the issues of the day
- c) Uphold this Code as a means of promoting the standards of behaviour expected of Members and enhancing the credibility and integrity of Council in the broader community.

Council Responsibilities

The Council (or its designated Committee) will:

- a) review the municipality's Code of Conduct as required and make any amendments considered appropriate; and
- b) review, consider or take other action concerning any violation of the Code of Conduct which is referred to Council for consideration.

Where there is any conflict between the Code of Conduct and the requirements of any statute of the provincial or federal government, provincial or federal statutes shall take precedence.

Chair's Responsibilities

The Mayor will "chair" and be responsible for establishing the meeting agenda, presiding over a meeting, and may also be referred to as the "presiding officer". The Chair shall be the presiding officer at all meetings, unless unavailable, in which case the Deputy Mayor will assume responsibility.

The Chair is expected to:

- a) Preside over all Committee meetings, and ruling on any points of order;
- b) Facilitate the meeting;
- c) Participate as an active and voting member, encouraging active participation;
- d) Call on a designate to fill his/her/their place as Chair in order to take part in debate, until he/she/they resume(s) the Chair. Chairs are permitted to provide brief comments during discussion;

During Committee meetings, it shall be the duty of the Chair/presiding officer to:

- a) Open the meeting by taking the Chair, calling the Council to order and announcing the business before the Committee and the order in which it is to be acted upon;
- b) Ensure the meeting agenda is followed and that the meeting progresses with due efficiency;
- c) Receive and put to a vote all motions presented and to announce the result;

- d) Decline to put to vote motions which infringe upon the rules of order or are beyond the jurisdiction of the assembly;
- e) Enforce the rules of order;
- f) Preserve order and decide points of order;
- g) Restrain the members within the rules of order when engaged in debate;
- h) Determine, at their discretion, whether a motion is in order;
- i) Exclude from debate or expel from any meeting any person who is guilty of improper conduct at the meeting. The meeting Chair should not tolerate:
 - discourtesy by one party to another
 - rudeness to CAO or staff
 - disruptive behavior;
- j) Call on a designate to fill their place until resuming the Chair, if the presiding officer desires to leave the Chair for the purpose of taking part in the debate or otherwise;
- k) Ensure that decisions of Committee are in conformity with the laws governing the activities of Committee/Council;
- l) Adjourn the meeting when business is concluded;
- m) Adjourn the meeting without question in the case of grave disorder arising in the meeting place.

Member Responsibilities

Conduct to be Observed

Members are agents of the public whose primary objective is to address the needs of the citizens. As such, they're entrusted with upholding and adhering to the by-laws of the municipality as well as all applicable provincial and federal laws. As public servants, Members must observe a high standard of morality in the conduct of their official duties and faithfully fulfill the responsibilities of their offices, regardless of their personal or financial interests.

Dedicated Service

All Members should faithfully work towards developing programs to address the needs of the citizens in the course of their duties. Members should strive to perform at a level which is expected of those who work in the public's interest.

Respect for Decision-Making Process

All Members recognize the responsibility of the Mayor to accurately communicate the decisions of the Council, even if they disagree with such decisions, such that respect for the decision-making processes of Council is fostered.

Dissenting opinions and perspectives of Councillors shall be expressed in a manner that respects the rights of fellow Council members. Councillors may request divergent views be noted in the recorded minutes.

Conduct at Meetings

- a) Councillors shall attend meetings on a punctual and regular basis.
- b) Members shall respect the Chair, colleagues, staff and members of the public present during Council meetings or other proceedings of the municipality.
- c) Meetings shall provide an environment for transparent and healthy debate on matters requiring decision-making.
- d) A member shall be disqualified from being a Councillor if absent from three consecutive meetings without an excuse satisfactory to the Council, per section 17 (4) MGA,
- e) Any Councillor who must leave a meeting early shall notify the Chair at the start of the meeting. If the absence of the Councillor in question eliminates a quorum, the Chair shall make an effort to ensure that any business requiring a motion is completed prior to the Councillor's early departure from the meeting.

Rules of Order

- a) Councillors shall be familiar with approved Town policies, by-laws, rules of procedure and proper conduct of meetings so that any decision of the Council may be made in an efficient, knowledgeable and expeditious manner.
- b) Without the approval of the Chair, no member shall speak more than once on any motion except to explain a misconception of another Councillor's remarks. The mover of the motion shall have the right to speak a second time to reply and sum up in closing the debate.
- c) No person shall speak more than five minutes upon any matter at one time without the approval of the Chair. The Chair may extend such time so as not to exceed a total time of ten minutes.
- d) Once a matter is decided by motion, the Council is committed to that decision. Council members shall respect all decisions of the Council.
- e) If a Councillor fails or refuses to vote on a question, they are deemed to have voted in the positive.
- f) Councillors shall speak with a united voice. When Council establishes a position on a particular issue, that position will be conveyed by all Council Members when meeting with Provincial Ministers in their capacity as Town of Pictou representatives. This would include meeting with any Provincial Minister(s) as an entire Council, as the Executive or as individual Councillors.
- g) Official information related to decisions and resolutions made by Council will be communicated to the media by the Mayor. In the absence of the Mayor, the Deputy Mayor shall serve in this role. In the absence of the Deputy Mayor, a member of Council selected by Council shall serve in this role.

Release of Confidential Information Prohibited

Committee meetings, or portions thereof, may be held in-camera only in accordance with section 22 of the Act, as may be amended from time to time. The only matters to be considered in an “in-camera session” are as follows:

- a) acquisition, sale, lease and security of municipal property;
- b) setting a minimum price to be accepted by the municipality at a tax sale;
- c) personnel matters;
- d) labour relations;
- e) contract negotiations;
- f) litigation or potential litigation;
- g) legal advice eligible for solicitor-client privilege;
- h) public security.

No Member shall disclose or release to any member of the public any confidential information acquired by virtue of their office, in either oral or written form except when required by law or authorized by the municipality to do so. Nor shall Members use confidential information for personal or private gain, or for the gain of relatives or any person or corporation.

Gift and Benefits

No Member shall show favouritism or bias toward any vendor, contractor or others doing business with the municipality. Members are prohibited from accepting gifts or favours from any vendor, contractor or others doing business with the municipality personally, or through a family member or friend, which could give rise to a reasonable suspicion of influence to show favour or disadvantage to any individual or organization.

Use of Public Property

No Member shall request or permit the use of municipal-owned vehicles, equipment, materials or property for personal convenience or profit, except where such privileges are granted to the general public. Members shall ensure that the business of the municipality is conducted with efficiency and shall avoid waste, abuse and extravagance in the provision or use of municipal resources.

Obligations to Citizens

No member shall grant any special consideration, treatment, or advantage to any citizen or group of citizens beyond that which is accorded to all citizens.

Each Councillor has a responsibility to ensure that all persons are:

- treated fairly regardless of race, gender, religion, age or disability
- dealt with in good faith
- given adequate opportunity to state their case

Relationship to CAO and Staff

Each Councillor shall ensure that their behavior towards the CAO and staff prior to, during or following meetings adheres to the following:

- is professional and fair;
- contributes to the preservation of orderly conduct;
- avoids sarcasm, derogatory comments or questions or comments designed to embarrass;
- is respectful of the rulings of the Council as a whole.

Interpersonal Behaviour

Members shall treat every person, including other Members, corporate employees, individuals providing services on a contract for service, and the public with dignity, understanding and respect and ensure that their work environment is free from discrimination, bullying and harassment.

Community Representation

Members shall observe a high standard of professionalism when representing the municipality and in their dealings with members of the broader community.

Good Governance

Members accept that effective governance of the municipality is critical to ensuring that decisions are taken in the best interests of all stakeholders and to enable the municipality to function as a good corporate citizen.

Government Relationships

Members recognize the importance of working constructively with other levels of government and organizations in Nova Scotia and beyond to achieve the goals of the municipality.

Conflict of Interest Avoidance

Members are committed to making decisions impartially and in the best interests of the municipality and recognize the importance of fully observing the requirements of the *Municipal Conflict of Interest Act of Nova Scotia* with regard to the disclosure and avoidance of conflicts of interest.

Reporting Breaches

Persons who have reason to believe that this Code has been breached in any way are encouraged to bring their concerns forward. No adverse action shall be taken against any Member or municipal employee who, acting in good faith, brings forward such information.

Corrective Action

Any reported violation of the Code will be subject to investigation by the Council. Violation of this Code by a Member may constitute a cause for corrective action. If an investigation finds a Member has breached a provision of the Code, Council may impose corrective action commensurate with the nature and severity of the breach which may include a formal warning or reprimand to the Member.

Compliance with Code

Members acknowledge the importance of the principles contained in this Policy which will be self-regulated by Council. Councillors are required to sign a "Statement of Commitment to the Code" (Attachment A) within seven (7) days of taking the Councillors' oath pursuant to section 147 of the Municipal Elections Act, R.S.N.S. 1989, c. 300.

Adherence to the Code, Act and Board Procedures

Each member shall:

- sign and adhere to all sections of the Code of Conduct Policy
- adhere to the requirements of the Municipal Government Act and Nova Scotia Conflict of Interest Act
- adhere to the requirements of the Town of Pictou policies and procedures.

Orientation

Each newly appointed Councillor shall receive an orientation, which will include a review of the Code of Conduct.

Schedules

Attachment "A" - Statement of Commitment to Town of Pictou Code of Conduct for Elected Officials

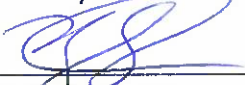
Clerk's Annotations

Clerk's Annotation for Official Policy Book

Date of Notice to Council Members
of Intent to Consider [7 days minimum]: Oct. 3, 2023

Date of Passage of Current Policy: Oct. 16, 2023

I certify that this Policy was adopted by Council as indicated above.



Kyle Slaunwhite
CAO

Oct. 25, 2023

Date

ATTACHMENT "A"

STATEMENT OF COMMITMENT

TOWN OF PICTOU CODE OF CONDUCT FOR ELECTED OFFICIALS

I, _____, declare that as Mayor/Councillor for the Town of Pictou, I acknowledge and support the Code of Conduct for the Town of Pictou.

Signed: _____

Printed Name: _____

Declared this ____ day of _____, 20____

Before:

Kyle Slaunwhite – Chief Administrative Officer