

COUNCIL POLICIES AND PROCEDURES

SECTION - I

ETHICS

SUBJECT: Code of Ethics Number: I - 1

AMENDED: November 9, 2011

COVERAGE: All Employees and Councillors

PREAMBLE: The municipality of Guysborough believes that the proper operation of municipal government requires that public officials and employees:

1. be independent of any external influences or pressures;
2. be impartial and responsible to the citizens of the Municipality;
3. should not use their position for personal advantage, in order that the public may be confidence in the integrity of the government.

The following code of ethics set forth in this policy is to be followed by all employees of the Municipality.

OBJECTIVES: The objectives of the code of ethics policy will be to:

1. provide a guideline to employees in specific circumstances;
2. promote a high standard of professionalism among staff

TERMS: GENERAL RESPONSIBILITIES OF MUNICIPAL PUBLIC EMPLOYEES AND OFFICIALS

1. Municipal public officials and employees are agents of public purposes and hold office for the benefit of the citizens. In that regard they are to uphold and carry out the laws of the Municipality, as well as applicable federal and provincial laws, so as to foster and enhance respect for government. As public servants, they are to observe in their official acts a high standard of morality and to discharge faithfully the duties of their office regardless of personal considerations and interests. Their conduct in both official and personal affairs should be above reproach at all times.
2. Dedicated Services
All officials and employees of the Municipality should be loyal to the objectives expressed by the citizens and the programs developed to attain those objectives. Appointive officials and employees should

adhere to the rules of work and performance established as the standard for their positions by the appropriate authority.

Officials and employees should not exceed their authority or breach the law or ask others to do so, and they should work in full cooperation with other public officials and employees unless prohibited from so doing by law or by officially recognized confidentiality of their work.

3. Fair and Equal Treatment

3.1 Interest in Appointments. Soliciting members of the Council, directly or indirectly, in order to obtain preferential consideration in connection with any appointments to the municipal service shall disqualify the candidate for appointment except for those positions filled by appointment by the Council.

4. Use of Public Property. No official or employee shall request or permit the use of municipal-owned vehicles, equipment, materials, or property for personal convenience or profit, except when such services are available to the public generally or are provided as municipal policy for the use of such official or employee in the conduct of official business.

5. Obligations to Citizens. No official or employees shall grant any special consideration, treatment, or advantage to any citizen beyond that which is available to every other citizen.

6. Conflict of Interest. No official or employee whether paid or unpaid, shall engage in any business or transaction or have a financial or personal interest, direct or indirect, which is incompatible with the proper discharge of his/her official duties in the public interest or would tend to impair his/her independence of judgement or action in the performance of his/her official duties. Personal, as distinguished from financial, interest includes an interest arising from blood or marriage relationships or close business or political association. Specific conflicts of interest are enumerated below for the guidance of officials and employees.

6.1 Incompatible Employment. No official or employees shall engage in or accept private employment or render services for private interests when such employment or services is incompatible with the proper discharge of his/her official duties or would tend to impair his/her independence of judgement or action in the performance of his/her official duties.

- 6.2 Disclosure of Confidential Information. No official or employee shall, without proper legal authorization, disclose confidential information concerning the property, government, or affairs of the Municipality. Nor shall he/she use such information to advance the financial or other private interest of himself/herself or others.
- 6.3 Gift and Favours. Personal integrity and sound business practices require that relationships with vendors, contractors, or others doing business with the Municipality, be such that no employee can be accused of showing favouritism or bias toward the vendor. Consequently, all municipal employees are prohibited from accepting gifts or favours from vendors that would tend to influence him/her in the discharge of his/her duties. No official or employee shall accept any gift, whether in the form of service, loan, thing or promise, from any person, firm or corporation which to his knowledge is interested directly or indirectly in any manner whatsoever in business dealings with the Municipality.
- 6.4 Representing Private Interests Before Municipal Agencies or Courts. No official or employee whose salary is paid in whole or in part by the Municipality, shall appear on behalf of private interests before any agency of the Municipality. He/she shall not represent private interests in any action or proceeding against the interests of the Municipality in any litigation to which the Municipality is a party. A Councillor may appear before municipal agencies on behalf of constituents in the course of his/her duties as a representative of the electorate or in the performance of public or civic obligations. However, no official or employee shall accept a retainer or compensation that is contingent upon a specific action by a municipal agency.
- 6.5 Contracts with the Municipality. No officer, agent, or employee of the Municipality shall have any interest in any contract made by him/her in his/her official capacity or by Public Committee, Board, Commission, or Department which he/she is a member, agent or employee, except that an officer, agent or employee of the Municipality may contract with the Municipality or any agency thereof for the sale and purchase of supplies, material or equipment or for the construction of public improvements if:
- i. he/she is not authorized by law to participate on behalf of the Municipality or any agent thereof, in the awarding of the contract;
 - ii. the contract is made upon a competitive bid in writing, publicly invited and publicly opened;

iii. all bids received and all documents pertaining to the award of the contract are held available for public inspection for at least three months next following the date of such award.

6.6 Disclosure of Interest in Legislation. A Councillor who has a financial or other private interest in any legislation shall disclose on the records of the Council or other appropriate authority, the nature and extent of such interest. This provision shall apply even if the Councillor disqualifies himself/herself from voting. Any other official or employee who has a financial or other private interest, and who participates in discussion with or gives an official opinion to the Council, shall disclose on the records of the Council or other appropriate authority the nature and extent of such interest.

6.7 Meetings. Where a councillor or employee has any direct or indirect pecuniary interest in any matter and is present at a meeting of the council or committee at which the matter is the subject of consideration, the member shall:

- i. as soon as practicable after the commencement of the meeting disclose the interests and the general nature thereof;
- ii. withdraw from his place as member and leave the room in which the meeting is held for the duration of the consideration of the matter. Whether it be a closed meeting or a meeting that is open to the public;
- iii. refrain from attempting in any way, whether before, during or after the meeting, to influence the decision of the council or committee with respect to the matter.

7. Political Activity. No appointive official or employee in the administrative service shall use the prestige of his/her position on behalf of any political party. Appointed officials and employees shall not take an active part in political campaigns for elected municipal positions. No official or employee, whether elected or appointed, shall promise an appointment of any municipal position as a reward for any political activity.

8. Sanctions. Violation of any provisions of this code shall raise conscientious questions for the official or employee concerned. Violations may constitute a cause for employee suspension, removal from office or employment, or other disciplinary action. Any reported incidence of violation of these rules will be subject to investigation by the Chief Administrative Officer and/or Council. Sanctions or any disciplinary action shall be decided upon investigation and depending upon the specific circumstances of the case. Reference should be made to the Acts governing the

Municipalities, and related legislation for reference to standards of conduct and performance.

9. Revision. The code of ethics policy and/or the various articles will be reviewed, amended, deleted or augmented as necessary by the municipal council in consultation with the Chief Administrative Officer.