

## **Governance Policy G-08 Code of Conduct Policy**

### **Policy Brief and Purpose**

To ensure Board and Committee Members conduct themselves in a professional manner and with integrity. As separate policies exist for Conflict of Interest and Confidentiality these topics are not addressed in the Code of Conduct.

### **Scope**

This Code of Conduct extends to all Board and Committee members of the Calgary Metropolitan Region Board (CMRB or the Board).

### **Policy**

#### **1. RESPECTFUL INTERACTIONS WITH BOARD MEMBERS, COMMITTEE MEMBERS, EMPLOYEES AND MEMBERS OF THE PUBLIC**

- 1.1. Board and Committee members shall always conduct themselves in a professional and responsible manner.
- 1.2. Board and Committee members shall display respect to other Board and Committee members, CMRB staff and members of the public at all times.
- 1.3. The venue for discussion on matters before the Board or a Committee of the Board is within their respective meetings. Members shall not engage in debate with each other via public mediums such as the media, blogs or social media.
- 1.4. Board and Committee members shall direct any comments on CMRB staff performance to the Chief Officer and shall avoid public comment on staff performance.

#### **2. COMMUNICATING ON BEHALF OF THE BOARD**

- 2.1 A Member must not claim to speak on behalf of the Board unless authorized to do so.
- 2.2 Unless the Board directs otherwise, the Board Chair is the Board's official spokesperson and in the absence of the Board Chair it is the Chief Officer. All inquiries from the media regarding the official Board position on an issue shall be referred to the Board's official spokesperson.
- 2.3. A Member who is authorized to act as the Board's official spokesperson must ensure that their comments accurately reflect the official position and will of the Board as a whole, even if the Member personally disagrees with the Board's position.
- 2.4. No Member shall make a statement when they know that statement is false.

2.5. No Member shall make a statement with the intent to mislead the Board or members of the public.

### 3. INTERPRETATION

Any questions regarding the interpretation and application of this Code will be answered by the Chair of the Board.

### 4. CONTRAVENTIONS OF THE CODE

#### 4.1 Informal Complaint Process

Any person who has identified or witnessed conduct by a Member that the person reasonably believes, in good faith, is in contravention of this Code may address the prohibited conduct by:

- (a) advising the Member that the conduct violates this Code and encouraging the Member to stop,
- (b) requesting the Board Chair (the Chair) to assist in informal discussion of the alleged complaint with the Member in an attempt to resolve the issue. In the event that the Chair is the subject of, or is implicated in, a complaint the person may request the assistance of the Vice-Chair.

Individuals are encouraged to pursue this informal complaint procedure as the first means of remedying conduct that they believe violates this Code. However, an individual is not required to complete this informal complaint procedure prior to pursuing the formal complaint procedure outlined below.

#### 4.2 Formal Complaint Process

Where a person has reasonable grounds to believe that a Member has contravened this Code, a complaint or request for inquiry may be submitted in confidence to the Chair or to an alternate at the discretion of the Chair.

All complaints or requests for inquiries must be in writing and should include:

- a. the complainant's name and contact information;
- b. the name of the Member(s) to whom the complaint relates;
- c. the nature of the alleged contravention;
- d. the specific provision(s) of the Code allegedly contravened;
- e. names of any witnesses to the alleged contravention;
- f. any other supporting documentation that will assist the Board Chair in evaluating the complaint.

The Chair may choose to investigate the complaint themselves or appoint a third party to conduct the investigation.

The Chair, or a third party appointed at the discretion of the Chair (hereafter referred to as the Investigator), will review the documentation. The Investigator may refuse to undertake an investigation if the complainant fails to provide sufficient documentation to support their complaint.

The Investigator will have 90 days to complete the investigation and draft their report. The Board may approve an extension of this deadline if it feels it is in the best interest of the CMRB.

If, after reviewing the complaint, the Investigator determines that the complaint is an allegation of a criminal nature consistent with the Criminal Code, they will inform the complainant that the allegation must be made through the appropriate police service.

Formal investigation of any complaint will be at the discretion of the Investigator. If the Investigator finds the allegations to be frivolous or unsubstantiated, they may decline to conduct an investigation and will inform the complainant of this decision.

If it is found that an investigation is warranted, the Member whose conduct is in question will be provided with a copy of the complaint and supporting documentation and be given the opportunity to provide a written response to the allegations being made.

Once the investigation is complete, the Investigator will submit a written report which may include statements from both the complainant and the Member(s) who is the subject of the complaint as well as a recommendation for appropriate sanctions (if any) to the Board. The report will be discussed at a closed session of the Board.

Both the complainant and the Member(s) who is the subject of the complaint will be given the opportunity to present to the Board about the complaint during the closed session, at their discretion.

After the presentations have been given the complainant and the Member(s) who is the subject of the complaint will be asked to leave the closed session. The Board will then deliberate the report, and the presentations.

## 5. SANCTIONS FOR CONTRAVENING THE CODE

The Board (excluding the Member(s) who is subject of the complaint) will determine by simple majority what sanctions (if any) will be imposed, during a closed session of the Board.

The Chair will recommend to the Board the application of sanctions which may include:

- a. no sanctions be imposed
- b. letter of reprimand addressed to the Board or Committee Member,
- c. requesting the Board or Committee member issue a letter of apology,
- d. a letter of reprimand addressed to the Municipal Council and CAO of the municipality which the Board or Committee Member is representing,

- e. publication of a letter of reprimand addressed to the Board or Committee member,
- f. a letter to the Municipal Council and CAO of the municipality which the Board or Committee member is representing requesting that a new representative to CMRB be appointed, or
- g. other appropriate sanctions as determined by the Board.

The Board will decide through a simple majority which sanctions, if any, to impose on a Member.

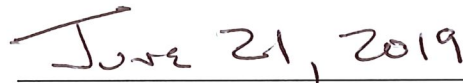
#### 6. IMPLEMENTATION

Immediately upon being appointed to the Board or Committee, as either a Member or alternate, every person must review the Code and commit to abide by its provisions.

This commitment will be indicated by signing a copy of the Code.



Christopher Sheard  
Chair



Date