



**NOVA SCOTIA
FEDERATION OF
MUNICIPALITIES**

January 2, 2020

PRESIDENT:

Mayor Pam Mood
Town of Yarmouth

The Honourable Chuck Porter
Minister, Municipal Affairs and Housing
P.O. Box 216, Halifax, NS B3J 2M6

VICE-PRESIDENT:

Deputy Mayor Emily Lutz
County of Kings

Delivered via e-mail

Dear Minister Porter:

IMMEDIATE PAST-PRESIDENT:

Councillor Waye Mason
Halifax Regional Municipality

RE: CODE OF CONDUCT

I write you today on behalf of the Board of Directors of the Nova Scotia Federation of Municipalities (NSFM). We are pleased to submit NSFM's newest code of conduct template, attached following this letter, for your review and acceptance. It has been updated to reflect the 2017 MGA amendments and the work of the Joint Municipal Accountability and Transparency Committee (JMAT).

REGIONAL CAUCUS CHAIR:

Councillor Clarence Prince
Cape Breton Regional Municipality

RURAL CAUCUS CHAIR:

Deputy Mayor Geoff Stewart
County of Colchester

NSFM originally distributed a code of conduct template in 2008, and several municipalities still use this template. The new template has some important new changes when compared with the 2008 document:

TOWNS CAUCUS CHAIR:

Mayor Brenda Chisholm-Beaton
Town of Port Hawkesbury

1. It includes a requirement for compliance with municipal expense policies.
2. It includes a requirement for compliance with municipal hospitality policies.
3. It clarifies who must observe the code of conduct, and that compliance with the code is no longer optional.

We know that leading change in codes of conduct is important to you, and NSFM is pleased to have participated in this process. I am happy to answer any questions you may have on our template. It's important to get this step in place ASAP, after which time I look forward to working with your department to further strengthen the Code of Conduct.

Sincerely,

Mayor Pam Mood
President, Nova Scotia Federation of Municipalities

2019 NSFM Code of Conduct Template For Elected Municipal Officials

I. 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 Code will assist in providing for the good government of the [named municipality].

II. 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;
 - (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.

III. 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
- (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.

IV. 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 or Warden 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.

CONDUCT AT MEETINGS

Members shall respect the chair, colleagues, staff and members of the public present during Council meetings or other proceedings of the municipality. Meetings shall

provide an environment for transparent and healthy debate on matters requiring decision-making.

RELEASE OF CONFIDENTIAL INFORMATION PROHIBITED

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.

GIFTS 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.

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.

COMPLIANCE WITH EXPENSE POLICY AND HOSPITALITY POLICY

Members shall comply with the expense policy and the hospitality policy for the municipality.

V. 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.

VI. 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.

VII. 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*, R.S.N.S. 1989, c. 299 with regard to the disclosure and avoidance of conflicts of interest.

VIII. 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.

IX. 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.

X. COMPLIANCE WITH CODE

Pursuant to section 23 of the *Municipal Government Act*, S.N.S. 1998, c 18., the code of conduct applies to mayors, wardens, councillors, and positions prescribed by provincial regulations. Every person to whom a code of conduct for a municipality applies shall comply with the code of conduct. Each of these persons is 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.

ATTACHMENT A

STATEMENT OF COMMITMENT TO COUNCILLORS' CODE OF CONDUCT

I, (Full Name) _____ declare that as a Councillor of the

_____ I acknowledge and support

the Councillors' Code of Conduct.

Signed: _____

Declared this _____ day of _____, 2020.

Before me:

Chief Administrative Officer/Clerk-Treasurer