

# THE CORPORATION OF THE TOWNSHIP OF PUSLINCH

## BY-LAW NUMBER 16/12

Being a by-law to adopt the various policies of the Township of Puslinch.

**WHEREAS** the Municipal Act, 2001, S.O. 2001, Chapter 25, section 270(1) requires municipalities to adopt and maintain policies with respect to certain matters.

**AND WHEREAS** the Township of Puslinch has developed policies relating to the matters referred to in section 270(1) of the Municipal Act.

**AND WHEREAS** the Township of Puslinch may from time to time adopt further policies related to the operation and governance of the Township.

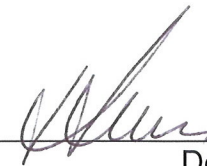
**THEREFORE** the Corporation of the Township of Puslinch by the Council hereby enacts as follows:

The following schedules are hereby adopted outlining the policies that will apply to the operation and governance of the Township of Puslinch:

SCHEDULE	DOCUMENT
"A"	Code of Conduct for Members of Council and Members of Council's Boards and Advisory Committees
"B"	Code of Conduct for Staff
"C"	Policy for Payment of Expenses

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 18<sup>th</sup> DAY OF JANUARY, 2012.

Signed: \_\_\_\_\_



Dennis Lever, Mayor

(SEAL)

  
Brenda Law, CAO/Clerk-Treasurer

# **TOWNSHIP OF PUSLINCH**

## **POLICIES AND PROCEDURES**

### **Code of Conduct for Members of Council and Members of Council's Boards and Advisory Committees**

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#### **STATEMENT OF PRINCIPLE**

A written Code of Conduct helps to ensure that the members of Council, advisory committees and of local boards of the municipality (as defined in the Municipal Act) share a common basis of acceptable conduct. These standards are designed to provide a reference guide and a supplement to the legislative parameters within which the members must operate. These standards should serve to enhance public confidence that Township's elected and appointed representatives operate from a base of integrity, justice and courtesy.

Members of Council are responsible for making honest statements. No member shall make a statement when they know that statement is false. No member shall make a statement with the intent to mislead Council members and the public.

The Township's Code of Conduct is a general standard that augments the provincial laws and municipal policies and by-laws that govern their conduct. It is not intended to replace personal ethics.

This Code of Conduct is consistent with the existing statutes governing the conduct of members. Four pieces of provincial legislation govern the conduct of members of Council those being:

1. The Municipal Act as amended, and the Council Procedural By-law passed under section 238 of that Act;
2. The Municipal Conflict of Interest Act as amended;
3. The Municipal Elections Act, 1996 as amended, and
4. The Municipal Freedom of Information and Protection of Privacy Act

The Criminal Code of Canada also governs the conduct of members of Council.

All members whom this Code of Conduct applies shall serve their constituents in a conscientious and diligent manner. No member shall use the influence of office for any purpose other than the exercise of his or her official duties.

#### **Applicable to:**

The Code of Conduct shall apply to all members of Council, advisory committees and of local boards of the municipality (as defined in the Municipal Act).

### **Gifts and Benefits**

No member shall accept a fee, advance, gift or personal benefit that is connected directly or indirectly with the performance of his or her duties of Office, unless permitted by the exceptions listed below.

For these purposes, a fee or advance paid to or a gift or benefit provided with the member's knowledge to a member's spouse, child or parent or to a member's staff that is connected directly or indirectly to the performance of the member's duties is deemed to be a gift to that member.

The following are recognized as exceptions:

- a. Compensation authorized by by-law;
- b. Such gifts or benefits that normally accompany the responsibilities of office and are received as an incident of protocol or social obligation;
- c. A political contribution otherwise reported by law;
- d. Services provided without compensation by persons volunteering their time;
- e. A suitable memento of a function honouring the member;
- f. Food, lodging, transportation and entertainment provided by provincial, regional and local governments or political subdivisions of them, by the Federal government or by a foreign country;
- g. Food and beverages consumed at banquets, receptions or similar events, if;
  - Attendance serves a legitimate purpose;
  - The person extending the invitation or a representative of the organization is in attendance; and
  - The value is reasonable and the invitations infrequent
- h. Communication to the offices of a member, including subscriptions to newspapers and periodicals.

### **Confidentiality**

All information, documentation or deliberation received, reviewed or taken in closed session of Council and its committees are confidential.

Members shall not disclose or release by any means to any member of the public either in verbal or written form any confidential information acquired by virtue of their office, except when required by law to do so. Under the Procedural By-law (authorized under s.239 of the Municipal Act), where a matter that has been discussed at an in-camera (closed) meeting remains confidential, no member shall disclose the content of the matter, or the substance of deliberations, of the in-camera meeting. Members shall not permit any persons other than those who are entitled thereto to have access to information that is confidential.

### **Use of Township Property, Services and other Resources**

No member shall use for personal purposes any Township property, equipment, services, supplies or services of consequence other than for purposes connected with the discharge of Township duties or associated community activities of which township Council has been advised.

No member shall obtain financial gain from the use of Township developed intellectual property, computer programs, technological innovations or other patentable items, while an elected official or thereafter. All such property remains exclusive property of the Township.

No member shall use information gained in the execution of his or her duties that is not available to the general public for any purposes other than his or her official duties.

#### **Work of a Political/Personal Nature**

No member shall use Township facilities, services or property for his or her re-election campaign. No member shall use the services of the Township employees for his or her re-election campaign, during hours in which the employees are in the paid employment of the Township.

No member shall use Township facilities, services or property for his or her personal or personal business use. No member shall use the services of Township employees for his or her personal or personal business during the hours in which the employees are in the paid employment of the Township.

#### **Conduct at Meetings of Council**

Members shall conduct themselves with decorum at Council in accordance with the provisions of the Council Procedural By-law. Respect for delegations and for fellow members and staff requires that all members show courtesy and not distract from the business of the Council during presentations and when other members have the floor.

#### **Business Relations**

No member shall borrow money from any person who regularly does business with the Township unless such person is an institution or company whose shares are publicly traded and who is regularly in the business of lending money.

No member shall act as a paid agent before Council or a committee of Council or any agency, board, or committee of the Township.

#### **Expenses**

Members shall comply with the provisions of the Township Mileage Allowance, and Expense Allowance – Conferences, Conventions, Seminars, Training Courses and Workshops.

#### **Representing the Township**

Members shall make every effort to participate diligently in the activities of the agencies, boards and commissions to which they are appointed.

#### **Influence on Staff**

Members shall be respectful of the fact that staff work for the Township body corporate and are charged with making recommendations that reflect their professional expertise and corporate perspective, without undue influence from any individual member or group of members of Council.

In addition, members shall be respectful of the fact that staff carry out directions of Council and administer the policies of the municipality, and are required to do so without any undue influence from any individual member or group of members of Council.

**Encouragement of respect for the Township and its by-laws and policies**

Members shall encourage public respect for the Township and its by-laws and policies.

**Harassment**

Harassment of another member, staff or any member of the public is misconduct. It is the policy of the Township that all persons be treated fairly in the workplace in an environment free of discrimination and of personal and sexual harassment.

The Ontario Human Rights Code applies, as does the Township Workplace Violence and Harassment Policy.

**Employment of Council Relatives Policy**

Members shall comply with the provisions of Township's Human Resources Policy.

**Interpretation**

Members seeking clarification of any part of this Policy should consult with the Chief Administrative Officer.

The Chief Administrative Officer may consult with legal counsel as may be required in determining points of law.

# **THE CORPORATION OF THE TOWNSHIP OF PUSLINCH**

## **POLICY**

**SUBJECT:** CODE OF CONDUCT FOR STAFF

**PURPOSE:**

To provide an understanding of the fundamental rights, privileges and obligations of municipal staff.

**POLICY STATEMENT:**

The Code of Conduct establishes the principle that the interests of the public will be placed above the interests of the individual. The Code of Conduct also recognizes implicitly that an employee of a municipal corporation is entitled to the same basic rights of freedom afforded to all citizens. The following focus areas shall formulate the Township's Code of Conduct.

**Gifts and Benefits**

1. Municipal employees must not place themselves in a position where they are under obligation to favour an individual or firm.
2. Municipal employees must refrain from accepting gifts and benefits from firms or individuals, taking into consideration, however, that there is a role for "moderate hospitality". Employees must consult with their Department Head to determine whether or not specific gestures constitute "moderate hospitality".

**Use of Municipal Property**

1. Employees must not use the municipality's property, vehicles, equipment, supplies or services for activities not associated with the discharge of official duties.
2. Employees shall not use the municipality's property, vehicles, equipment, supplies or services for personal gain.

**Political Activity**

1. Employees shall refrain from direct involvement in a local government political campaign in the municipality where they are employed.
2. Employees may be involved in provincial and federal campaigns as long as this involvement does not affect the objectivity with which they must discharge their duties.

**Business Dealings**

1. Employees shall not engage in any outside work or business dealings that interfere with the performance of their regular duties.
2. Employees shall not engage in any outside work or business dealings from which they might derive personal benefit or gain by virtue of their employment with the municipality.

### **Media Relations**

1. Relations with the media shall be conducted so that only factual and objective information related to policies adopted by Council is transmitted. Employees must refrain from putting forth speculative or subjective insights.

### **Confidential Information**

1. Employees shall safeguard and protect information of the municipality.
2. Information shall be released in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act.

### **Staff/Council Relations**

1. Employees shall deal with all members of council in an objective and impartial manner at all times.
2. Employees must recognize that elected officials are responsible for the establishment of policy and employees are responsible for implementation of the directives originating from Council.

### **Conflict of Interest**

1. If a potential conflict exists because of an employee's personal or family interest in a property matter, a business dealing, the municipality or similar circumstance, Council must be advised of this situation in writing.
2. Once an employee has declared a conflict of interest, it is understood that he/she will be removed from the decision making process relative to their interest that has been disclosed.

### **Compliance**

1. Department Heads shall ensure that staff is aware of and in compliance with the terms of this Code of Conduct.
2. Failure to comply with the terms of this Code of Conduct may result in disciplinary action up to and including dismissal.
3. Non-compliance with the Code of Conduct will be reviewed by the Department Head. Department head non-compliance with the Code of Conduct will be reviewed by Council.

# **TOWNSHIP OF PUSLINCH**

## **POLICY FOR PAYMENT OF EXPENSES**

### **PURPOSE**

The Corporation of the Township of Puslinch recognizes that Councillors, employees and board & committee members will incur reasonable expenses when conducting the business of the Township.

The Township also supports and encourages Council and employee participation in:

- municipal and career-related conferences;
- conventions;
- seminars; and
- professional development programs

This policy provides rules for reimbursement of expenses for business travel, payment of daily allowances and Council expenses.

### **SCOPE**

This expense policy applies to all employees, Members of Council and members of boards & committees.

### **POLICY STATEMENT**

The Township of Puslinch shall reimburse all employees, Members of Council and members of boards & committees for:

- approved expenses incurred while travelling on Township business; and
- approved incidental business expenses.

### **Reimbursement of Expenses**

The Municipality will reimburse the following expenses for Councillors, employees and board & committee members attending Conferences, Seminars, Workshops, Training and authorized meetings related to municipal governance.

1. Registrations fees
2. Hotel Accommodation
3. Transportation (mileage, etc.) Where alternate forms of transportation are available, Municipal payment shall be determined by the most economical alternative.
4. Parking, Taxi expenses
5. Meal expenses with receipts not included in registrations, including those meals purchased while travelling to or from their destination. Alcohol is an ineligible expense.
6. Per Diem allowance for each day attended containing business sessions.
7. The payment of expenses shall be subject to the submission of proper itemized receipts in support thereof.
8. Members shall reimburse the municipality for any and all costs related to spouses or significant others attending the conference

**Non-Attendance**

It is recognized that the early confirmation deadlines imposed by the Associations may result in situations where a Council member must cancel his/her attendance at the conference/seminar/training because of health related reasons for either the member or immediate family. All efforts shall be made to transfer the registration and/or accommodation to another participant, if unable to cancel the registration.

**Membership of members of Council, board & committee and employees on Municipal Associations**

Campaign expenses of members of Council, board & committee and employees running for office on Municipal Associations shall be paid subject to the prior approval of Council.

Expenses of members of Council, board & committee and employees holding positions on Municipal Associations or their Committees shall be reimbursed in accordance with this Policy, provided they are not reimbursed through the Association or Committee.