



## City Council Policy & Procedure

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**Subject: City Council Code of Conduct**

**Covers: All Members of City Council**

**Effective: April 2, 2013**

**Purpose: Internal policy to govern the conduct of City Council members in their capacity as elected officials of the City of Brandon.**

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### **Policy:**

Public confidence and public trust are essential to good governance.

To promote public confidence and public trust, members of the Council of The City of Brandon strive to govern in a fair, objective and transparent manner and in the best interests of the City at all times.

In carrying out their duties, it is essential that the conduct of City Council members reflect the standards and values of the City.

**This Code of Conduct operates in addition to the existing legislation governing the conduct of City Council members, including *The Municipal Act, The Municipal Council Conflict of Interest Act, and The Freedom of Information and Protection of Privacy Act. The Criminal Code of Canada* also governs the conduct of members of City Council.**

The Code of Conduct applies to all members of City Council.

### **1. DEFINITIONS**

**City Council** means the Mayor and Councillors of the City of Brandon.

**City** means the City of Brandon

**Code** means the City Council members' Code of Conduct established and approved by City Council.

**Employees** means any person employed by the City of Brandon, and includes the City Manager, designated officers, full-time, part-time, contract, or casual employees, including volunteers.

## **2. PRINCIPLES**

Members of City Council have a duty to consider the well-being and interests of the City as a whole and to appropriately carry out the powers, duties and functions of the City.

In carrying out their duties, members of City Council are expected to conduct themselves in such a way as to promote public trust and public confidence in City Council and the City.

## **3. PURPOSE**

The purpose of this code is to establish clear conduct rules for members of City Council, so that misconduct may be avoided, and so that clear standards exist against which to assess potential misconduct of those members.

## **4. RULES OF CONDUCT**

### **4.1 Respectful Conduct**

Every member of City Council is expected to conduct himself or herself in public, and in respect to the public, in such a way as to reflect the decorum and dignity of the office that he or she holds.

No member of City Council shall embarrass, chastise, intimidate or threaten his or her colleagues, members of the public, or employees or volunteers of the City.

No member of City Council will knowingly break the law in the performance of his/her duties, or request others to do so.

### **4.2 Respect for Decision-Making Processes**

Every member of City Council is expected to respect the decision-making processes of City Council.

While members may hold different views on any given matter, once City Council has made its decision, all members must uphold the decision.

### **4.3 Preferential Treatment**

No member of City Council shall, in the exercise of an official power, duty or function, give preferential treatment to any person or organization based solely on the identity of the person or organization.

### **4.4 Respect for Role of Administration**

City employees are responsible for providing professional advice, are bound by the decisions of City Council, and shall not be requested to take any action contrary to such decisions.

City employees are to be treated with respect when performing duties for City Council.

A member of City Council requiring an employee to undertake specific work on behalf of the City shall first approach the City Manager.

No member of City Council shall attempt to require an employee to undertake personal or private work on behalf of the member.

A member of City Council may seek information from an employee providing such information is of a general nature.

### **4.5 Election Campaign Work**

No member of City Council shall use the facilities, equipment, supplies or services of the City for any election campaign or campaign-related activities. No member shall undertake campaign-related activities on City property unless permitted by the City (i.e. an all candidates meeting).

No member shall attempt to require City employees to participate in political activities.

## **5. CONSEQUENCES OF MISCONDUCT**

Every member of City Council who fails to meet his or her obligations under this code is subject to censure by City Council.

Sample resolutions of censure are attached hereto.

## **6. CENSURE PROCESS ON BREACH OF CODE**

### **6.1 Source of Complaint**

A complaint alleging a member of City Council has breached the code may originate from a member of City Council, the public or an employee or volunteer of the City.

### **6.2 Acting on Complaint**

The complaint must be lodged with and be acted upon by a member of City Council who is not the subject of the complaint.

### **6.3 Investigation of Complaint**

The onus and responsibility to investigate a complaint to ensure a resolution of censure is appropriate and justified lies with the member of City Council prepared to act upon the complaint and bring a resolution of censure forward.

### **6.4 Resolution to Censure**

The member of City Council who alleges that another member has breached the code must bring forward a resolution to censure at a meeting of City Council that is open to the public.

### **6.5 City Council Member to Provide Reasons**

The City Council member alleging a breach of the code must provide reasons for why it is believed a specific section of the code has been breached, including examples of the member's behavior believed to be contrary to the code.

Information relevant to the breach that is independent, objective and verifiable is required to ensure that City Council can make a well-informed decision. Such information could include written documents, citing dates and circumstances of specific instances, independent corroboration by other members, etc.

## **6.6 Approval of the Resolution to Censure**

Approval of the resolution to censure requires a majority of the City Council members plus one, except for the member to be censured. All members of City Council, except for the member who is alleged to have breached the code, must be present and vote.

## **7. REVIEW AND REVISION OF THE CODE**

City Council will review the code annually to ensure it continues to be appropriate and relevant for the City.

City Council may, at its discretion and by resolution, amend the code.

### **Related Information**

**Revision No.:**  
**Revision Date:**

**Issued By: City Clerk**  
**Authorized By: City Council**

## **Sample Resolutions**

### **Sample Resolution (1)**

WHEREAS the City Council Code of Conduct for City Council members applies to all members of City Council and establishes the standards and values they are expected to meet in carrying out their responsibilities as elected officials of the City of Brandon;

AND WHEREAS Section 4.1 of the Code of Conduct requires all City Council members to conduct themselves in public and in respect to the public in such a way as to reflect the decorum and dignity of the office that they hold;

AND WHEREAS [name of City Council member] made comments in a newspaper article on [Date] about citizens;

AND WHEREAS the comments made by [name of City Council member] do not reflect the standards and values of City Council;

THEREFORE BE IT RESOLVED that [name of City Council member] is in breach of Section 4.1 of the Code of Conduct for City Council members;

AND FURTHER BE IT RESOLVED that City Council censure [name of City Council member] for his/her breach of the City Council Code of Conduct.

### **Sample Resolution (2)**

WHEREAS the City Council Code of Conduct for City Council Members applies to all members of City Council and establishes the standards and values that council members are expected to meet in carrying out their responsibilities as elected officials of the municipality;

AND WHEREAS Section 4.1 of the Code of Conduct requires all City Council members to conduct themselves in public and in respect to the public in such a way as to reflect the decorum and dignity of the office that she or he holds;

AND WHEREAS the conduct of [name of City Council member] towards other City Council members and members of the public at the City Council meeting that occurred on [date of meeting] does not reflect the standards and values of City Council;

THEREFORE BE IT RESOLVED that [name of City Council member] is in breach of Section 4.1 of the Code of Conduct for City Council members;

AND FURTHER BE IT RESOLVED that City Council censure [name of City Council member] for his/her breach of the City Council Code of Conduct.