



## REPORT

**REPORT TO:** Mayor Bonnette and Members of Council

**REPORT FROM:** Suzanne Jones, Clerk & Director of Legislative Services

**DATE:** January 25, 2019

**REPORT NO.:** ADMIN-2019-0004

**RE:** Codes of Conduct - Members of Council & Local Boards

### RECOMMENDATION:

THAT Report No. ADMIN-2019-0004, dated January 25, 2019 regarding the Codes of Conduct - Members of Council & Local Boards, be received;

AND FURTHER THAT Council adopt the Town of Halton Hills Code of Conduct for Members of Council; and the Code of Conduct for Local Boards;

AND FURTHER THAT staff prepare information, to be posted on the Town's website, which provides information on the Code of Conduct for Members of Council, the role of the Town's Integrity Commissioner, and the Code of Conduct complaint process.

AND FURTHER THAT upon adoption of the Code of Conduct for Local Boards, direct the Town Clerk to advise the Boards and Committees of their duties to adopt their respective Code of Conduct.

### BACKGROUND:

The *Modernizing Ontario's Municipal Legislation Act, 2017* (MOMLA) received Royal Assent on May 30, 2017. The MOMLA introduced amendments to the *Ontario Municipal Act, 2001*; *City of Toronto Act, 2006*; and *Municipal Conflict of Interest Act*, to:

- (1) enhance municipal accountability and transparency,
- (2) promote municipal financial sustainability; and
- (3) help ensure responsive and flexible municipal governments.

It is mandatory (through the MOMLA – Bill 68) for Municipal Councils to establish Codes of Conduct which will contain the prescribed subject matters;

1. Gifts, benefits and hospitality
2. Respectful conduct, including conduct toward officers and employees of the municipality
3. Handling of Confidential information
4. Use of property of the municipality or the Local Board, as the case may be

And further, by March 1, 2019 Municipal Councils must;

1. Establish Codes of Conduct for Council Members and Local Boards
2. Appoint an Independent Integrity Commissioner
3. Assign to the Independent Integrity Commissioner functions relating to;
  - Codes of Conduct for members of council and local boards
  - Application of procedures, rules and policies governing ethical conduct
  - Municipal Conflict of Interest Act provisions
  - Requests for advice under applicable Codes of Conduct
  - Requests for advice governing ethical behavior
  - Requests for advice respecting a member's obligations under the Municipal Conflict of Interest Act
  - Education and training about codes of conduct and the Municipal Conflict of Interest Act

On September 1, 2018 Town Council appointed Principles Integrity to provide Integrity Commissioner Services for the Town of Halton Hills.

#### **COMMENTS:**

Principles Integrity, through its principals Jeffrey Abrams and Janice Atwood-Petkovski have provided staff with draft copies of a Code of Conduct for Members of Council, and a Code of Conduct for Local Boards which include the prescribed, mandatory requirements. Staff updated the drafts to identify particular policies that Council members are required to adhere to, such as the Town's Expense Policy, and the Respect in the Workplace Policy.

Attached to this report is;

- the Code of Conduct for Members of Council (Appendix A)
- the Code of Conduct for Local Boards (Appendix B)

## Code of Conduct for Local Boards (& Committees)

The Code of Conduct for Local Boards is a condensed version of the Code of Conduct for Members of Council, however still outlines the required legislative framework which members of the Town's local boards and committees are responsible to adhere to through their respective roles.

The framework within this code is broken down into non-adjudicative and adjudicative local boards and committees. These include:

### Adjudicative Boards/Committees;

- Committee of Adjustment
- Property Standards Committee
- Election Compliance Audit Committee (joint regional committee)
- Fence Viewers Committee

### Non Adjudicative Boards/Committees;

- Accessibility Advisory Committee
- Heritage Advisory Committee
- BIAs
- Active Transportation Committee
- Site Alteration Committee
- Other advisory committees as formed by Council
- Library Board (optional)\*

\*The Library Board is governed by the Ontario's *Public Libraries Act*, and therefore it is optional for the Library Board to adopt the Town's Code of Conduct. It is highly recommended that the Library Board adopt the Code of Conduct for Local Boards & Committees to maintain a Town-wide consistent approach to accountability and transparency.

## **RELATIONSHIP TO STRATEGIC PLAN:**

This report is in keeping with the Town's Strategic Plan to provide responsive and effective municipal government.

## **FINANCIAL IMPACT:**

This report is administrative in nature and therefore there are no financial impacts associated with the adoption of the Codes of Conduct.

**CONSULTATION:**

The Town Clerk consulted with the Integrity Commissioner regarding the development of the Town of Halton Hills Code of Conduct for Council, and the Code of Conduct for Local Boards and Committees.

An education and training workshop for Council members took place on January 16, 2019, and was led by Mr. Jeffrey Abrams of Principles Integrity. The workshop provided an orientation on Ethics and Integrity.

**PUBLIC ENGAGEMENT:**

As the adoption of the Codes of Conduct are mandatory as per Bill 68, which includes legislative framework as to what is required within a Code of Conduct, the public engagement charter was not utilized for this report. However, the public will be informed, via the Town's website, of the adoption of the Codes of Conduct and will also be provided with the necessary information regarding the role of the Integrity Commissioner.

**SUSTAINABILITY IMPLICATIONS:**

Not applicable

**COMMUNICATIONS:**

Upon the adoption of the Codes of Conduct the Town's website will be updated to include information regarding these documents, the role of the Integrity Commissioner and investigation processes.

For easy reference, a hard copy of the approved Codes of Conduct along with the relevant policies will be provided to Council members and Senior staff.

**CONCLUSION:**

Through the adoption of the Codes of Conduct Town Council will meet its legislative requirements as per the *Modernizing Ontario's Municipal Legislation Act, 2017*, and the statutory provisions of Bill 68.

Reviewed and Approved by,

A handwritten signature in black ink, reading "Brent Marshall". The signature is written in a cursive, flowing style with a large initial "B" and "M".

**Brent Marshall, Chief Administrative Officer**