

THE CORPORATION OF THE
CITY OF WHITE ROCK
15322 BUENA VISTA AVENUE, WHITE ROCK, B.C. V4B 1Y6



GOVERNANCE AND LEGISLATION COMMITTEE

October 22, 2010

A meeting of the **GOVERNANCE AND LEGISLATION COMMITTEE** will be held in the **COUNCIL CHAMBERS** at City Hall on **MONDAY, OCTOBER 25, 2010** at **6:00 p.m.** for the transaction of business as listed below.

T. Arthur, City Clerk

A G E N D A

Councillor Sinclair, Chairperson

1. AGENDA APPROVAL

RECOMMENDATION:

THAT the Governance and Legislation Committee adopt the agenda for its October 25, 2010 meeting as circulated.

2. PREVIOUS MINUTES

Governance & Legislation Committee Meeting – September 20, 2010

Page 3

RECOMMENDATION:

THAT the Governance and Legislation Committee adopt the minutes for its September 20, 2010 meeting as circulated.

3. CODE OF CONDUCT FOR STAFF

Page 8

Report dated October 25, 2010 from the Director of Human Resources titled “Employee Code of Conduct Policy Report”.

RECOMMENDATION #1:

THAT the Governance and Legislation Committee receive for information the October 25, 2010 report from the Director of Human Resources titled “Employee Code of Conduct Policy Report”.

RECOMMENDATION #2:

THAT the Governance and Legislation Committee recommend that Council adopt the Employee Code of Conduct Policy - Human Resources No. 404.

4. CODE OF CONDUCT FOR COMMITTEE MEMBERS Page 16

In response to Governance and Legislation Committee Motion #2010-GOV-069, Council Motion #2010-418, September 27, 2010 directed staff to prepare a Code of Conduct for Committee Members.

RECOMMENDATION:

THAT the Governance and Legislation Committee recommend that Council adopt the Code of Conduct for Committee Members – Council No. 120.

5. ITEMS FOR DISCUSSION

- Staff Tracking of Documents Received at City Hall – Mayor Ferguson
- Staff Parking at all City Hall Facilities – Councillor Fathers
- Role of Acting Mayor – Councillor Sinclair
- Role and Function of Council Committee Liaisons – Councillor Sinclair
- Taping of Council Meetings – Mayor Ferguson
- Exit Interview – Councillor Fathers

6. DISCUSSION REGARDING REQUEST FOR FUTURE ITEMS TO BRING FORWARD TO THE COMMITTEE

7. CLOSURE

PRESENT: Councillor Sinclair, Chairperson
Mayor Ferguson
Councillor Anderson
Councillor Campbell
Councillor Fathers
Councillor McLean

ABSENT: Councillor Meyer

STAFF: P. Clark, City Manager
N. Housenga, Deputy City Clerk

The meeting was called to order at 6:01 p.m.

1. AGENDA APPROVAL

2010-GOV-062

It was MOVED and SECONDED
THAT the Governance and Legislation Committee adopts the agenda
for its September 20, 2010 meeting as circulated.

CARRIED

2. PREVIOUS MINUTES

Governance & Legislation Committee Meeting – July 27, 2010

2010-GOV-063

It was MOVED and SECONDED
THAT the Governance and Legislation Committee adopts the minutes
for its July 27, 2010 meeting as circulated.

CARRIED

3. INTERNAL COMMUNICATION POLICY

In accordance with motion 2010-IC-149 the following Internal
Communication Policy is presented for the Governance and Legislation
Committee's review.

2010-GOV-064

It was MOVED and SECONDED
THAT the Governance and Legislation Committee:
a) endorses policy *Council – 119 Communication Between Mayor and
Council and City Staff*; and
b) recommends that policy *Council – 119 Communication Between
Mayor and City Staff* be forwarded to Council for consideration.

2010-GOV-065

Amendment to the Main Motion
It was MOVED and SECONDED

THAT policy *Council – 119 Communication between Mayor and City Staff*, Policy be amended to add “If the request is received by email, that the email be forwarded to all members of Council” to the end of item 1) under Policy.

DEFEATED

Councillors Anderson, Campbell, Fathers, Sinclair and Mayor Ferguson voted in the negative.

Question on the main motion was called and was

CARRIED

4. MAYOR AND COUNCIL CORRESPONDENCE

Members of Council have inquired regarding staff’s processing of e-mail directed to Mayor and Council. Amended policy: *Council – 107 Correspondence Received by the City* was presented for the Governance and Legislation Committee’s review.

2010-GOV-066

It was MOVED and SECONDED

THAT the Governance and Legislation Committee:

- a) endorses the proposed amendment to policy: *Council – 107 Correspondence to Mayor and Council* to the newly titled *Council – 107 Correspondence Received by the City*; and
- b) recommends that amended policy *Council – 107 Correspondence to Mayor and Council* be forwarded to Council for consideration.

2010-GOV-067

Amendment to the Main Motion

It was MOVED and SECONDED

THAT the Governance and Legislation Committee further amends policy *Council – 107 Correspondence to Mayor and Council* to add item 6) to Schedule A: “*The Complaint/Inquiry Correspondence Tracking Log be submitted to members of Council monthly.*”

CARRIED

2010-GOV-068

Subsequent Amendment Motion

It was MOVED and SECONDED

THAT the Governance and Legislation Committee further amends policy *Council – 107 Correspondence to Mayor and Council* to add item 7) to Schedule A: “*Staff prepare an analysis of the Complaint/Inquiry Correspondence Tracking Log to be submitted to members of Council semi-annually.*”

CARRIED

Question on the main motion as amended was called and was

CARRIED

Main motion 2010-GOV-066 now reads as follows:

THAT the Governance and Legislation Committee:

- a) *endorses the proposed amendment to policy: Council – 107 Correspondence to Mayor and Council to the newly titled Council – 107 Correspondence Received by the City;*
- b) *further amends policy Council – 107 Correspondence to Mayor and Council to add item 6) to Schedule A: “The Complaint/Inquiry Correspondence Tracking Log be submitted to members of Council monthly.”;*
- c) *further amends policy Council – 107 Correspondence to Mayor and Council to add item 7) to Schedule A: “Staff prepare an analysis of the Complaint/Inquiry Correspondence Tracking Log to be submitted to members of Council semi-annually; and*
- d) *recommends that amended policy Council – 107 Correspondence to Mayor and Council be forwarded to Council for consideration.*

5. ITEMS FOR DISCUSSION

The following items were discussed:

a) **Code of Conduct for Staff and Committee Members**

Councillor Fathers inquired of staff if the City has a Code of Conduct for staff and committee members. The City Manager informed the Committee that staff are working on a Code of Conduct for all staff and will bring a draft back to Council by the end of October. At the present time there is no Code of Conduct for committee members.

It was MOVED and SECONDED

THAT the Governance and Legislation Committee recommends that Council:

- a) directs staff to prepare a Code of Conduct for all staff; and
- b) directs staff to prepare a Code of Conduct for Committee Members

for review by the Governance and Legislation Committee at a future meeting.

CARRIED

b) **Photograph Policy**

Councillor Fathers inquired of staff if the individual council member photos are for official City use only. The Committee was advised that there is no policy in place and the practice has been that digital photos may be used for other purposes.

The Committee was further informed that there is no policy regarding photo retakes, however in incidents where a photo is unacceptable, a retake is taken.

c) **Communications**

2010-GOV-069

Councillor Fathers inquired if there was a policy on how much staff time can be used to assist members of council with speech and report writing. In response to the inquiry, the City Manager noted that there is no policy in place regarding staff time allocated to providing such assistance to members of council.

The present practice is that the Executive Assistant provides speaking notes/briefs for the Mayor and that longer speeches such as the City Address, are written by the Communications Officer.

Councillors have access to the Executive Assistance to prepare correspondence and speaking notes. Requests for such assistance should be directed to the City Manager.

d) **White Rock Outstanding “Canadians on the Peninsula” / Legacy Project**

Mayor Ferguson informed the Committee that staff are updating the City of White Rock Living Legacy Book and questioned the Committee on their desire to continue the project.

2010-GOV-070

It was MOVED and SECONDED

THAT the Governance and Legislation Committee recommends that Council directs staff to prepare and bring back to the Committee a policy with criteria, including a public process, for naming individuals to the White Rock Outstanding “Canadians on the Peninsula / Legacy Project”.

CARRIED

2010-GOV-071

It was MOVED and SECONDED

THAT the Governance and Legislation Committee recommends that Council directs staff to update the City of White Rock Living Legacy Book.

CARRIED

6. DISCUSSION REGARDING REQUEST FOR FUTURE ITEMS TO BRING FORWARD TO THE COMMITTEE

Chairperson Sinclair requested that members of the Committee forward items for the next Governance and Legislation Committee directly to her.

7. CLOSURE

The Chairperson declared the meeting concluded at 6:53 p.m.



Councillor Sinclair, Chairperson

N. Housenga, Deputy City Clerk

UNAPPROVED

THE CORPORATION OF THE
CITY OF WHITE ROCK
CORPORATE REPORT



DATE: October 25, 2010
TO: Governance and Legislation Committee
FROM: Jacquie Johnstone, Director of Human Resources
SUBJECT: Employee Code of Conduct Policy Report

RECOMMENDATION:

THAT the Governance and Legislation Committee:

- 1) receive for information the October 25, 2010 report from the Director of Human Resources titled "Employee Code of Conduct Policy Report"; and
 - 2) recommend to Council to adopt the Employee Code of Conduct Policy-Human Resources-404.
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INTRODUCTION:

On September 20, 2010, the Governance and Legislation Committee passed a motion recommending that Council direct staff prepare a Code of Conduct for all staff. The Governance and Legislation Committee subsequently passed a motion at the September 27, 2010 Council meeting directing staff to prepare a Code of Conduct for all staff for review at a future meeting.

In follow up to this motion, the attached report is the proposed Code of Conduct for all City employees.

COUNCIL GOAL:

N/A

PAST PRACTICE / POLICY / LEGISLATION:

Presently the City does not have a comprehensive Code of Conduct for its employees except for the existence of a staff directive that speaks to conflict of interest. This staff directive has been updated and incorporated into the Code of Conduct Policy.

ANALYSIS:

The rationale for the Employee Code of Conduct Policy – Human Resources – Policy 404 is to ensure that all employees involved in the delivery of a public service in the City of White Rock consistently meet the highest standard of ethical behaviour in order to preserve, maintain and enhance the confidence of the public in the manner in which the role of the City is discharged.

If adopted, Human Resources will conduct information sessions with all City staff to advise them of the new policy.

BUDGET IMPLICATIONS:

N/A

OPTIONS:

1. Adopt the attached Employee Code of Conduct
2. Maintain the status quo with no Code of Conduct for City employees

RECOMMENDATION

Option 1

CONCLUSION

Employee Code of Conduct Policy – Human Resources – Policy 404 will provide guidelines for appropriate employee conduct with the Corporation of the City of White Rock.

Respectfully submitted,



Jacquie Johnstone
Director of Human Resources

Attachment: Employee Code of Conduct Policy Report – Human Resources – Policy 404

Comments from City Manager:

I concur with the recommendation to adopt the Employee Code of Conduct.



Peggy Clark, City Manager

**THE CORPORATION OF THE
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15322 BUENA VISTA AVENUE, WHITE ROCK, B.C. V4B 1Y6



POLICY TITLE: EMPLOYEE CODE OF CONDUCT

POLICY NUMBER: **-HUMAN RESOURCES – NO. 404**

<i>Date of Council Adoption:</i>	<i>Date of Last Amendment:</i>
<i>Council Resolution Number:</i>	<i>Historical Changes (Amends, Repeals or Replaces)</i>
<i>Originating Department: Human Resources</i>	<i>Date last reviewed by the Governance and Legislation Committee:</i>

Policy:

1.0 Purpose

The purpose of this policy is to outline the requirements for appropriate employee conduct with the City of White Rock. Every action we take in the course of a business day should preserve and enhance the highest standards of honesty, fair dealing, faithful performance of contracts, and integrity. City employees are expected to conduct themselves at all times in accordance with the spirit and the letter of all applicable laws. If you are doubt about any aspect of this policy, you are directed to seek further information from your Department Head or the Chief Administrative Officer.

This policy applies to employees and officers of the City.

2.0 Conflict of Interest

2.1 Employees will maintain their role as private citizens separate and distinct from their responsibilities as employees of the City and avoid *conflict of interest* or *potential or perceived conflict of interest* situations.

Employees owe a duty of loyalty to the City. As part of this duty, employees are required to avoid situations and activities where their personal interests or activities (financial or otherwise) conflict, appear to conflict, or have the potential to conflict with their duties to the City.

A conflict of interest can arise, for example, whenever:

- (a) an employee receives a benefit of a financial or other nature additional to that normally conferred by terms and conditions of employment, for the performance of the employee's duties, responsibilities or obligations as a City employee to the City or the public;
- (b) an employee acts in his or her own personal interest in the performance of the employee's duties contrary to the City's interests, thereby compromising the trust that the public and internal customers place in the City and/or the employee;
- (c) an employee takes advantage of his or her position to obtain or to provide inappropriate benefits to or for themselves, relatives, business associates, or friends.
- (d) an employee uses or authorizes the use of City facilities or property for any purpose other than for the legitimate business of the City;
- (e) an employee attempts to influence the City's dealings with relatives, business associates, or friends; and
- (f) an employee approves his or her own licence or permit application, or such application of relatives, business associates, or friends.

This is not an exhaustive list of conflicts of interest.

A potential or perceived conflict of interest arises when a well-informed person acting reasonably would conclude that the employee, in the discharge of his duties, has acted or will act in his or her interest to the detriment of the interests of the City.

Employees will disclose in writing to a City Department Head or the Chief Administrative Officer any conflict of interest, or potential or perceived conflict of interest, before it happens. Employees will not engage in any activity that may constitute a conflict of interest without prior management approval in writing.

An employee who is in a conflict of interest situation and who has not obtained written approval from a City Department Head or Chief Administrative Officer will immediately:

- cease such activity; and
- report such activity to a member of senior management of the City.

2.2 *Gifts, Favours and Services*

Employees will not either directly or indirectly, demand or accept money, goods, discounts, favours, benefits, services, property, or anything else, whether to be received in the present or the future, from any individual, corporation or organization in the course of their employment duties other than the normal exchange of hospitality between persons doing business together.

Employees will not use their position with the City to obtain such gifts, favours, or services for their personal use, or for the use of relatives, business associates, or friends.

While the City recognizes the conferral of gifts and services to staff members or relatives of staff members by coworkers on the occasion of birthdays, illnesses, and/or other major

life events, the cost of such gifts or services will be borne by those coworkers who wish to participate in giving gifts unless specifically approved by their Department Head or the Chief Administrative Officer.

2.3 *Allocation of Work and Ordering of Supplies*

During the course of their employment with the City, employees will not, without the written permission from their Department Head or the Chief Administrative Officer, be directly or indirectly involved in or influence the awarding of an assignment of work to, the inspection of work of, and will not order any supplies from:

- (a) a relative, including a spouse, parent, ward, guardian, child, brother, sister, cousin, uncle, aunt, in-law, grandparent, or any person with whom an employee shares his or her household, business associate, or friend, other than an arm's length tenant who occupies separate quarters with the household;
- (b) a firm, company, partnership, or other legal entity in which the employee or a relative, business associate, or friend, alone or with others, holds an interest; and
- (c) a firm, company, partnership, or other legal entity in which another employee of the City, alone or with others, holds an interest.

An employee will not directly or indirectly promote any goods or services from which the employee, the employee's relatives, business associates, or friends may receive a personal gain or benefit.

2.4 *Employment*

Employees will familiarize themselves and comply with the City's Human Resources Staff Directive #19, "Employment of Relatives".

3.0 Confidentiality

Except as required by law or in the ordinary course of the employee's duties, an employee will not divulge or disclose any City information identified as or understood to be confidential, to other employees or to persons or organizations outside the City. This confidentiality requirement survives employment with the City and employees who are no longer employed with the City will not divulge or disclose any confidential information that the employee has received or become aware of in the course of employment. Upon request by the City, employees will cooperate in a request made under the *Freedom of Information and Protection of Privacy Act*.

4.0 City Property and Information

Except as otherwise provided in a written employment contract or City policy, City property, including vehicles, equipment, material, and City information, whether electronic or other, will be used solely in the performance of an employee's duties and will not be used for unauthorized or illegal purposes, personal convenience or benefit (including commercial endeavor), including unauthorized non-City uses and events. Notwithstanding the preceding, the Chief Administrative Officer may provide preauthorization of City property for non-City events in appropriate circumstances.

Communication tools are to be used for business purposes only. It is acknowledged that from time to time, communication tools may be used for limited personal use. An employee will not incur additional cost to the City for the personal use of any City equipment, unless such costs are reimbursed in a timely manner.

5.0 Outside Employment

If an employee is employed with another organization or involved in a business endeavor:

- (a) such employment or involvement will not, or will not have the potential to, interfere with or supersede any duties as a City employee or damage the City's reputation;
- (b) there will be no personal benefit or advantage because of employment with the City;
- (c) such employment or involvement will not involve any use of City premises, services, equipment, information, or supplies, and such activities will not occur during the employee's scheduled hours of work.

6.0 Disclosure of Property Ownership

- 6.1 All persons required to submit disclosures of business, real estate or other holdings under the *Financial Disclosure Act* will do so in the manner prescribed by the *Act*.
- 6.2 Where an employee is involved, directly or indirectly, in any property development with the City, except for property that is the employee's primary residence, the following will apply:
 - (a) the employee will immediately provide details of his or her involvement with the property, in writing, to his or her Department Head;
 - (b) the Department Head will communicate this information to the Chief Administrative Officer;

7.0 Political Activity

- 7.1 Where an employee runs for and is elected to a public office at the Municipal (other than White Rock), Provincial, or Federal level, or for a School Board, the time spent running for office, and time in office during their normal hours of work, may be approved as leave without pay by the Chief Administrative Officer for one term of office, at the discretion of the City.
- 7.2 Consistent with the *Local Government Act*, an employee who runs for Mayor or Councilor at the City of White Rock will take a leave of absence without pay from the time of filing of nomination papers. If elected, the employee, before taking the oath of office, will resign from employment with the City.

8.0 Public Statements

- 8.1 Except in the ordinary course of their employment, employees will not enter into public political debate or advocacy, as a representative of the City, regarding City policies or by-laws.
- 8.2 Employees who have concerns regarding administrative practices, misuse of public funds, or believe a situation results in danger to public health or safety will bring the matter to the attention of the Department Head or the Chief Administrative Officer.

9.0 Criminal Implications

Employees should be aware of the following offences under the *Criminal Code*, which restrictions are incorporated by reference into this policy:

- (a) influencing or attempting to influence the voting and official activities of a municipal or other government official by means of bribery, fraud, threats or by the suppression of truth when one has a duty to disclose the truth; and
- (b) selling, purchasing or influencing public appointments or offices and the corrupt offering or acceptance of secret commissions in relation to the affairs or business of one's employer or principal.

10.0 Employee Behaviour

Employees will ensure that at all times during the course of their employment:

- (a) Their conduct and language meet acceptable social standards;
- (b) They treat employees, Council members and the public with courtesy, respect and dignity.

11.0 Penalties and Appeals

- 11.1 Breach of this policy may result in discipline up to and including termination of employment.
- 11.2 Exempt employees may appeal any disciplinary action to the Chief Administrative Officer. Union employees may follow the procedures as prescribed in the applicable Collective Agreement.

Rationale:

The City acknowledges that its function is the delivery of public services and expects that all employees involved in the delivery of public services will consistently meet the highest standard of ethical behaviour in order to preserve, maintain and enhance the confidence of the public in the manner in which the role of the City is discharged. Although it is not possible to describe every situation that may be encountered during a career with the City, this policy is intended to define the basic standards of conduct expected of the City's employees. If you face a situation in which you have any doubt about the legitimacy of your actions, it is your responsibility to raise it with your Department Head or Chief Administrative Officer for further discussion.

**THE CORPORATION OF THE
CITY OF WHITE ROCK**
15322 BUENA VISTA AVENUE, WHITE ROCK, B.C. V4B 1Y6



POLICY TITLE: CODE OF CONDUCT FOR COMMITTEE MEMBERS

POLICY NUMBER: COUNCIL - 120

<i>Date of Council Adoption:</i>	<i>Date of Last Amendment:</i>
<i>Council Resolution Number:</i>	<i>Historical Changes (Amends, Repeals or Replaces)</i>
<i>Originating Department:</i>	<i>Date last reviewed by the Governance and Legislation Committee:</i>

Policy:

Committee Member (Members) means an individual that has been appointed by Council to serve on a City Committee.

- a) Members shall conduct themselves at all times with behaviour respectful of their duties and mindful always of the long term results achieved for the benefit and protection of City of White Rock citizens.
- b) Conduct of members in the performance of their duties shall be fair, open, honest and in a professional manner.
- c) Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members, City staff and Mayor and Council.
- d) Regardless of their personal viewpoint, members shall not speak publicly against, or in any way undermine committee solidarity once a committee decision has been made.

When concern has been raised that a member is not adhering to the above, information will be brought before Council, in a Closed meeting, and considered.

Council has the authority to remove a member appointment when they determine actions have contravened this policy.

Rationale:

A common goal that Mayor and Council, Staff and members of the City committees is to inspire public confidence and trust in local government. Members are ambassadors for the City of White Rock. Due to their affiliation with the City it is important they demonstrate their respect for the City, its residents, those elected to run the city and its staff.

