

Municipality of the District of St. Mary's

Code of Conduct Policy



Purpose:

The purpose of this policy is to promote high standards of professional conduct and values among elected officials and municipal employees. The policy will provide guidelines for identifying potential conflicts of interest and breaches of trust and help ensure that elected officials and municipal employees do not place themselves, or permit themselves to be placed, in a position which would constitute a conflict of interest or breach of trust.

Responsibilities:

- Elected officials and municipal employees are agents of the public whose primary objective is to address the needs of the public. As such, they are entrusted with upholding and adhering to the bylaws and policies of the municipality including the Hospitality and Mileage/Expense policies as well as all applicable federal and provincial laws.
- Elected officials and municipal employees must observe a high standard of morality in the conduct of their official duties and responsibilities without consideration of personal or financial gain.
- In the course of their duties, elected officials and municipal employees should strive to perform at a level which is expected of those who work in the public's interest.
- Elected officials and municipal employees should not exceed their authority, breach the law, or ask others to do so, and should work in full co-operation with other public officials and employees.
- No elected official or municipal employee will grant any special consideration, treatment, or advantage to any citizen or group of citizens beyond that which is accorded to all citizens.
- Soliciting members of council or municipal staff directly or indirectly in order to obtain preferential consideration in connection with any appointment to the municipal service may disqualify the candidate from further consideration for the appointment.
- No elected official or municipal employee will request or permit the use of municipality-owned vehicles, equipment, materials, or property for personal convenience or profit, except where such privileges are granted to the general public.

- Any elected official or municipal employee who has a financial or personal interest in any proposed council matters, and who participates in discussion of such matters, will declare a conflict of interest.
- No elected official or municipal employee will perform work on behalf of any political party or candidate during their hours of employment with the municipality.
- No elected official or municipal employee will knowingly create, reproduce or distribute any material (printed or otherwise) that could be considered derogatory or harmful to fellow elected officials, municipal staff or the reputation of the municipality.

Conflict of Interest:

- No elected official or municipal employee will engage in any business transaction or have a financial or personal interest, direct or indirect, which would impair their independence of judgement or action in the performance of their official duties. Elected officials and municipal employees shall follow the provisions of Conflict of Interest found within the Municipal Government Act of Nova Scotia. There are a variety of situations which could constitute a conflict of interest for elected officials and municipal employees. The following list provides some examples:
 - No elected official or municipal employee will engage in or accept private employment or render services for private interests when such employment or services are incompatible with the proper discharge of their official duties or would impair their independence of judgement or action in the performance of their official duties.
 - No elected official or municipal employee shall, without proper legal authorization, disclose confidential information; nor will they use such information to advance the financial or personal interest of themselves or others.
 - No elected official or municipal employee will show favouritism or bias toward any vendor, contractor, or others doing business with the municipality.
 - Elected officials and municipal employees are prohibited from accepting gifts or favours from any vendor, contractor or others doing business with the municipality. The exception being where gifts are exchanged as a cultural practice.
 - No elected official or municipal employee will represent private interests in any action or proceeding against the interests of the municipality or in any litigation to which the municipality is party. Furthermore, no elected official

or municipal employee will accept compensation or a retainer, which is conditional upon the actions of a municipal agency.

- o No elected official or municipal employee will have any interest, direct or indirect, in any municipal contract issued by the municipality.

However, an elected official or municipal employee may enter into a legal contract with the municipality or any agency thereof for the sale and purchase of supplies, materials, or equipment or for the construction of public improvements if:

- they are not authorized by law to act on behalf of the municipality or any agent thereof in the awarding of the contract.
- the tender is called in a written, public, and openly competitive manner.
- all bids received and all documents pertaining to the awarding of the contract are retained according to the requirements of the Records Management policy.

Reporting Breaches of this Policy:

Elected officials or municipal employees who have reason to believe that this Code of Conduct policy has been breached in any way are encouraged to bring their concerns to the Chief Administrative Officer or Warden. No adverse action will be taken against any elected official or municipal employee who, acting in good faith, brings forward such information.


Corrective Action Violation of this Policy:

Any reported violation of this policy will be subject to investigation by the Chief Administrative Officer and/or Council. If an investigation finds an elected official or municipal employee guilty of a breach of this policy, the corrective action pursued will be commensurate with the nature and severity of the violation.

General:

When administering this policy, elected officials and municipal employees must adhere to the Municipal Government Act (MGA) or any other provincial acts governing the municipality and all relevant legislation pertaining to the subjects covered in this policy.


Municipal Clerk


Date

