



POLICY

Code of Conduct for Elected Municipal Officials Policy	
Policy Number: 110-011	Supersedes Policy Number: Not Applicable
Effective Date: March 3, 2020 Amended Date: July 19, 2022 November 21, 2023	Approval By Council (Motion Number): 17-07-22 26-11-23

1.0 Purpose

To ensure that all elected Town of Wolfville municipal officials adhere to a Code of Conduct as per legislative and Town requirements.

2.0 Scope & Responsibility

This Policy is applicable to all elected municipal officials. The Council Policy Review Task Force is the Administrator of this policy.

3.0 References

- Municipal Elections Act RSNS 1989, c.300
- Municipal Government Act 1998
- The Code of Conduct for Elected Officials Regulation, AR 200/2017 (Regulation)
- Policy 130-818 Respectful Workplace Policy

4.0 Definitions

- 4.1 Administrator** is defined as the staff position delegated by the CAO, responsible for the implementation and co-ordination of review of a specific Policy. For legislative policies, Council, or a delegated Council Policy Committee, is considered the **Administrator**.
- 4.2 Council** means the Council of the Town of Wolfville
- 4.3 Members of Council** include(s) the Mayor



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- 4.4 Mayor** is the Mayor of the Town of Wolfville
- 4.5 Policy** is defined as a generalized statement of interest based upon a body of principles, which describes what is to be done now and in the future.
- 4.6 Procedure** is defined as a statement(s) arising from policy which sets out who does what, how, and in what sequence, the method of carrying out the policy.
- 4.7 Town** means the Town of Wolfville

5.0 Policy

5.1 Guiding Principles

The below guiding principles are intended to underlie the specific standards established for the conduct of members:

- 5.1.1 Collegiality: members of council will work together to further the best interests of the Town in an honest and honourable way.
- 5.1.2 Respect: members of council will demonstrate respect towards one another, the democratic decision-making process, and the role of staff.
- 5.1.3 Integrity: members of council are expected to be lawful and adhere to strong ethical principles by giving the Town interests priority over private individual interests.
- 5.1.4 Professionalism: members of council will create and maintain an environment that is respectful and free from all forms of harassment, including sexual harassment and discrimination. They must show consideration for every person's values, beliefs and contributions, while supporting and encouraging others to participate in council activities.
- 5.1.5 Transparency: members of council will be truthful and open regarding their decisions and actions and make every effort to accurately communicate information openly to the public.
- 5.1.6 Responsibility: members of council are responsible for the decisions that they make and must be held accountable for their outcomes. They must demonstrate awareness of their own conduct and consider how their words or actions may be perceived as offensive or demeaning.



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5.2 Standards

The below outlines the set of standards for the conduct of members, set out by general topic, that must be adhered to:

5.2.1 General Conduct

- Members of council must be truthful and forthright, and not deceive or knowingly mislead Council, the CAO, or the public.
- Members of Council will respect the presiding officers, colleagues, staff and members of the public that present during the council meeting or other proceedings/meetings of the Town.
- Members of Council will adhere to procedure and direction of presiding officers in respect to rules of procedure.
- Members of Council must conduct Council business and all of the member's duties in an open and transparent manner, other than for those matters which Council is authorized by law to deal with in private.
- Members of Council must ensure that they are not impaired by alcohol or drugs while attending any meeting of the Town.

5.2.2 Confidential Information

- No Member of Council will disclose or release by any means to any member of the public, any confidential information acquired by virtue of their office, in either oral or written form, except where required by policy or law or authorized by the Council to do so.
- No Member of Council will use confidential information for personal or private gain or for the gain of any other person or entity.
- Members of Council should not access or attempt to access confidential information in the custody of the Town unless the information is necessary for the performance of their duties and its access is not prohibited by legislation or by the by-laws or



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policies of the Town.

5.2.3 Gifts and Benefits

- No member of Council shall accept a fee, advance, cash, gift, gift certificate or personal benefit that is connected directly or indirectly with the performance of their duties of office, except for the following:
 - i. gifts or benefits that normally accompany the responsibilities of office and are received as an incident of protocol or social obligation.
 - ii. a suitable memento of a function honouring the member of Council.
 - iii. sponsorships and donations for community events organized or run by a member of Council or by a third party on behalf of a member of Council.
 - iv. compensation authorized by the Town.
- A fee or advance paid, or a gift or benefit provided, with the Member's knowledge, to a person closely connected to a member is deemed to be a gift to the Member of Council.

5.2.4 Use of Municipal Property, Equipment and Services

- No member of Council shall use, or request the use of, any Town property, including surplus material or equipment for personal convenience or profit, unless the property is:
 - i. available for such use by the public generally and the member of Council is receiving no special preference in its use; or,
 - ii. made available to the member of Council in the course of carrying out council activities and duties.
- No Member of Council shall use, or request the use of, for personal purpose any Town property, equipment, services, supplies or other Town-owned materials, other than for purposes connected with the discharge of Town duties.



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- No Member of Council shall obtain, or attempt to obtain, personal financial gain from the use or sale of Town-developed intellectual property.
- No Member of Council shall use information, or attempt to use information, gained in the execution of their duties that is not available to the public for any purposes other than carrying out their official duties.
- No Member of Council, or person closely connected to a member, shall tender on such items such as the sale of older and extra equipment.

5.2.5 Planning or Procurement Proposals before Council

- No Members of Council shall solicit or accept support in any form from an individual, group or corporation with any planning or procurement proposal before Council.

5.2.6 Improper Use of Influence

- No Member of Council shall use the influence of their office for any purpose other than for the exercise of their official duties.

5.2.7 Business Relations

- No Member of Council shall allow the prospect of their future employment by a person or entity to affect the performance of their duties to the Town.
- No Member of Council shall borrow money from any person who regularly does business with the Town 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 of Council shall act as an agent of a person or entity before Council or a committee of Council or any agency, board or committee of the Town.

5.2.8 Employment of Persons Closely Connected to Members of Council



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- No member of Council shall attempt to influence any Town employee to hire or promote a person closely connected to the member.
- No member of Council shall make any decision or participate in the process to hire, transfer, promote, demote, discipline, or terminate any person closely connected to.

5.2.9 Fairness

- No member of Council shall give special consideration, treatment, or advantage to any individual or entity beyond that which is accorded to all.
- No member of Council shall give special consideration, treatment or advantage to an organization or group due to the member or person closely connected to the member being involved with or a member of the organization or group.

5.2.10 Adherence to Policies, Procedures, Bylaws and Other Laws

- Members of Council will adhere to:
 - i. applicable national and provincial legislation.
 - ii. procedures, policies and bylaws of the Town.
 - iii. expense and hospitality policies of the Town.

5.2.11 Respect for Council as a decision-making body

- A member of council must abide by and act in accordance with any decision made by council, whether the member voted in favour of the decision or not.
- Members of Council must not encourage non-compliance with a bylaw, policy or procedure.

5.2.12 Communicating on behalf of Council

- A member, other than the Mayor, must not claim to speak on behalf of Council unless the member has been authorized to do so.



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- The Mayor may speak on behalf of Council and must make every effort to convey the intent of councils' decision accurately.

5.2.13 Interactions of Council with Staff and Service Providers

- Members of Council must respect the role of the CAO as head of the administrative branch of government of the Town and must not involve themselves directly in the administration of the affairs of the Town, including, without limitation, the administration of contracts.
- No member of Council shall direct, or attempt to direct, the CAO, other than through a direction provided by the Council as a whole.
- Members of Council shall be respectful of the role of CAO and Town employees to advise based on political neutrality and objectivity and without undue influence from any individual member or faction of the Council.
- Members of Council must not direct or influence or attempt to direct or influence any Town employees in the exercise of their duties or functions.
- Council cannot direct Town employees except through the CAO.
- Members of Council are not to issue instructions to any of the contractors, tenderers, consultants, or other service providers to the Town.
- No member of Council shall require or request that a Town employee undertake personal chores or tasks for the member unrelated to Town business.
- Members of Council must not make public statements reflecting negatively on identifiable groups of individuals.

5.2.14 Respectful Interactions

- A member of Council must not engage in discrimination or harassment on the grounds articulated in the Human Rights Act of Nova Scotia.



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- A member of Council must not sexually harass any person.
- A member of Council must not engage in any discriminatory or harassing action or conduct, verbal or non-verbal, directed at one or more individuals or groups that creates a poisoned environment.

5.2.15 Reprisal

- A member of Council must not undertake any act of reprisal or threaten reprisal against a complainant in a matter under this Code of Conduct, or any person providing relevant information in relation to a matter under this Code of Conduct.

5.3 Breach of Code of Conduct

5.3.1 Considerations

- An elected official must evaluate the following 7 considerations before imposing a sanction on a member:
 1. The nature of the code contravention.
 2. The length or persistence of the code contravention.
 3. If the member knowingly contravened the code of conduct.
 4. If the member has taken any steps to remedy the contravention.
 5. If the member previously contravened the code of conduct.
 6. Any external factors that exist to the member's contravention.
 7. The resources the member will need to complete their job.

5.3.2 Sanctions

- Sanctions can be administered in accordance with legislation.

5.4 Complaint and Investigator Process

- 5.4.1 The Town will appoint a person or entity other than a Council member or an employee to receive and investigate complaints.



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- 5.4.2 The person or entity appointed must have experience in conducting investigations and in applying the principles of natural justice. No conflict of interest can exist between the investigator and the parties involved.
- 5.4.3 A complaint will be submitted to the investigator no later than 6 months from discoverability.
- 5.4.4 Any complaints brought forward during the municipal election period of nomination day until ordinary polling day will not be investigated until the election has concluded.
- 5.4.5 The CAO/Clerk will be notified by the investigator that a complaint has been received.
- 5.4.6 The investigator will determine if there is validity to the complaint. If there is no validity, then the complaint can be dismissed.
- 5.4.7 If the complaint is valid, the investigator will begin their investigation and Council will be notified about the investigation in camera.
- 5.4.8 The investigator shall present a report to council, no later than 6 months from the time the complaint is brought forward, on the investigation and include a recommendation regarding the validity of the complaint and, if applicable, a recommendation regarding an appropriate sanction.
 - i. If complaint is brought forward during the municipal election period of nomination day until ordinary polling day it will not be investigated until the election has concluded.
 - ii. Council may grant the investigator an extension on when the report can be brought to Council for extenuating circumstances.
 - iii. Council can discuss the investigators report in-camera.
- 5.4.9 Council determines if a breach occurred and determines the sanction(s) to impose. The member who had the complaint lodged against them will not participate in the vote.
- 5.4.10 The section under the code of conduct the complaint was lodged and the investigators recommendations are made public.
- 5.4.11 The decision or penalty of Council on a code of conduct matter is final and binding on all parties.



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6.0 Policy Review

This policy will be reviewed every four years from effective/amended date.

Appendices:

- [Appendix A](#) – Statement of Commitment to Councillors Code of Conduct

Administration and Contact

For any questions about this policy or its associated procedures please contact:

Erin Beaudin,
Chief Administrative Officer
ebeaudin@wolfville.ca
Tel: 902-599-2380

Laura Morrison,
Town Clerk
lmorrison@wolfville.ca
Tel: 902-698-1338

Approved by Chief Administrative Officer

E. Beaudin, CAO

2023-11-21

Date



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APPENDIX A

STATEMENT OF COMMITMENT TO COUNCILLORS' CODE OF CONDUCT

I, (Full Name) _____ declare that as a Councillor of the
Town of Wolfville I acknowledge and support the Councillors' Code of Conduct.

Signed:

Declared this _____ day of _____, 20__.

Before me:

Chief Administrative Officer/Town Clerk