

 <p style="font-size: small; margin-top: 5px;">Catch the Kawartha spirit</p>	<h2 style="margin: 0;">CORPORATE POLICY AND PROCEDURES MANUAL</h2>
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Policy No:		CAO	
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Policy Name:
CODE OF CONDUCT & ETHICS –EMPLOYEES

DEVELOPED BY:	Jane Reynolds, CAO	DATE:	November 11, 2009
DEPARTMENT:	CAO		
ADOPTED BY:	Council	DATE:	
RESOLUTION NUMBER:		EFFECTIVE:	
CROSS-REFERENCE:		REVISIONS:	

POLICY STATEMENT AND RATIONALE:

This written Code of Conduct and Ethics established a shared and common foundation for acceptable behaviour, conduct and actions. These standards are designed to supplement the legislative parameters within which employees must operate and is intended to support professional standards and Code of Conducts and Ethics already in place for many of our employees.

In addition to increasing the public’s confidence and perception that employees for the City of Kawartha Lakes operate from a base of integrity, justice, respect, honesty and courtesy, this Code of Conduct and Ethics is intended to foster a positive work environment and Culture for our organization in support of Council’s Strategic objective to be an “Employer of Choice” and to further support the Culture values that Managers of the organization have committed to live by, specifically the following principles:

Respect – Integrity – Teamwork – Competency – Excellence – Communication –Positive Attitude.

The Code of Conduct and Ethics shall provide positive direction to employees in support of the following principles:

- That independent, impartial advice is provided that considers the best interests of the entire Municipality including it’s citizens and other employees
- That communications are open, honest, consistent, respectful, consultative and inclusive
- That duties are performed and Council directions are implemented to the best of their ability, and in a conscientious, diligent, impartial and transparent manner
- That private interests, real or perceived, are kept separate from public responsibilities
- That respect and support for others including Council members, other staff, and members of the public is provided to foster a positive team environment.

SCOPE:

This policy relates to all Employees of the City of Kawartha Lakes.

General

All employees shall serve their organization with honesty and integrity, and in a conscientious and diligent manner. Employees shall:

- Perform the responsibilities assigned in their employment contract with the City, and within their legislated and prescribed authorities.
- Understand, and adhere to all City by-laws, policies and procedures
- Understand and adhere to federal and provincial legislation in a manner that is consistent with such legislation
- Implement Council directions assigned through the CAO in an impartial and effective manner.
- Act in cooperation with other City staff members to foster a positive team environment
- Treat all members of Council and the public fairly and consistently with care and respect.
- Understand and strive to further the objectives of the Corporation as determined by Council.
- Recognize their role as ambassadors and representatives of the City at all times
- Understand and follow other policies and procedures that relate to this Code of Conduct including but not limited to the Purchasing, Recruitment, Nepotism Policy, Expense Policies, etc.
- Avoid any real or perceived conflict of interest.
- Adhere to this Code of Conduct and Ethics and report any contraventions of the Code to the appropriate authority.

Gifts and Benefits

Employees shall not, directly or indirectly through a family member or otherwise, solicit any gift or accept/receive any gift or personal benefits or rewards which may be tied or inferred to be tied directly or indirectly to their position or the performance of their duties. Employees shall not accept, directly or indirectly through a family member or otherwise, any gift, benefit, money, discount, favours or other assistance, from any business or organization which has a contract with the City or who will potentially be contracted to do business in the future, or who has other business with the City including the need for licenses, permits, agreements, development activities, procurement activities or other City approvals. Employees shall not place themselves in a position where they could be placed in a real or perceived position of obligation to favour an individual or business or organization.

This shall not prohibit employees from receiving promotional gifts or benefits of nominal value (for example coffee mugs or pens with a company's logo). It is also recognized that in the ordinary course of business it may be appropriate for a business or organization to pay for an employee's lunch. Receipt of such a gift or benefit in the course of business will not be considered a breach of these rules assuming that such receipt is infrequent, (as defined by less than three times per year by the same business) and nominal in nature (defined by less than \$100 in value). All nominal gifts shall exclude alcohol or entertainment, such as sporting events.

No employee shall seek or obtain by reason of his or her position any personal privilege or advantage with respect to city services not otherwise available to the general public except as authorized by law or policy of the City.

Confidentiality and Use of Municipal Information

It is every employee's responsibility to ensure information disseminated to Council members and the public is accurate and complete. No employee shall willfully mislead Council members, employees or the public about any issue of municipal concern. All information shall be released based upon appropriate communication protocols as established from time to time.

As required through their signing of a Confidentiality Agreement, every employee shall ensure that confidential information provided through the course of their duties is kept strictly confidential and shall only be disclosed or otherwise released to authorized staff or as allowed by legislation. This shall relate to any time during or after their employment except as required by law. Employees that have access to personal or confidential information shall become familiar with their obligations and responsibilities as outlined in various legislation including the *Municipal Freedom of Information and Protection of Privacy Act*.

No employee shall:

- Use information acquired through their official duties and not available to the general public for a personal advantage or pecuniary interests during or after their employment.
- Use confidential information so as to cause detriment or a benefit to others inappropriately
- Release confidential documents or information until the matter ceases to be confidential as determined by Council, by policy or by legislation
- Have access to information protected under legislation, unless it is specifically relevant to their responsibilities.
- Speak disrespectfully about the Corporation, another employee, a Council member, or Council's decisions. Any concerns regarding the conduct of another person including a contravention of the Code of Conduct by another employee or Council member shall be handled through the appropriate process as defined in this policy.
- Withhold information relevant to the well-being of the municipality, the security of its assets or any deficiencies in the way it is doing business from their supervisor or, failing their action, the next levels of command.

Conduct at Council/Committee Meetings

During Council and other meetings where employees are representing the City, employees shall conduct themselves with decorum by adhering to the City's Procedural By-Law as amended from time to time. Respect and courtesy will be provided to delegations, Council members, other staff, and members of the general public. Employees shall make best efforts to ensure that Council is well informed on matters before them through reports and, as necessary, through verbal clarifications at the meetings. Each employee has a responsibility to ensure that such decorum occurs, both through their own conduct and by bringing to the attention of the CAO any offensive conduct that is observed.

Relationships with Staff and Members of Council

Employees will show respect for other staff members and Council members and recognize their distinct roles and responsibilities as defined by legislation.

Employees shall:

- refrain from using their position to improperly influence other members of staff and/or Council members in their duties or functions or to gain an advantage or pecuniary interest for themselves, members of their family or other associates.
- refrain from publicly criticizing other members of staff or individual Council members in a way that maliciously or falsely injures the professional or ethical reputation of another individual
- provide advice that is objective and based upon their professional expertise, politically neutral, and considering a corporate perspective, without undue influence from any individual member or group of members of Council or other outside interests.

- be respectful that other staff and Council members have the right to a different point of view providing it is appropriately and responsibly shared
- carry out Council directions and administer the policies and programs of the municipality without any undue influence from any individual member or group of members of Council or by any outside interests.
- carry out responsibilities that are set out in legislation without any undue influence from any individual employee or Council member or group of members of Council or any outside interests.
- Be respectful and supportive of the City's commitment to foster a positive work environment that is free from discrimination, harassment, interference, intimidation or coercion through personal adherence to the City's Respect in the Workplace Policy and the Ontario Human Rights Code.

Use of Municipal Property

Employees may use City property, equipment, supplies or services only for activities connected with the discharge of their official duties as sanctioned by City policy or by-law. Any equipment or supplies purchased by the City in the exercise of the employee's duties (ie. Computers, cell phones, etc.) is City property and will be returned to the City at the conclusion of employment with the City.

No employee shall obtain financial gain from the use of city-developed intellectual property, computer programs, technological innovations or other patentable items, while an employee or thereafter. All such property remains the exclusive property of the City of Kawartha Lakes.

No employee shall use information gained in the execution of his or her duties that is not available to the general public, for any real or perceived pecuniary advantage for the employee or their family or for any other purpose not related to the implementation of their official duties.

Work of a Political Nature

Employees shall be aware of and adhere to the Use of Corporate Resources for Election Purposes Policy.

No employee shall use City facilities, services, or property in support of an election or re-election campaign, to express support for a political candidate, or to undertake any other outside political activity. Additionally, no employee shall accommodate any requests from incumbents or any candidate to utilize their services during hours in which they are in the paid employment of the City.

Fraud and Breach of Trust

Employees shall not engage in behaviour that is fraudulent or that constitutes a breach of trust with the City of Kawartha Lakes. A fraudulent activity includes, but is not limited to:

- Using deceit to gain a personal advantage, pecuniary interest or benefit for oneself and/or others
- Illegally obtaining money, including the solicitation and/or acceptance of bribes or favours
- Intentionally providing false or incomplete or withholding information from Council and/or City officials
- Intentionally circumventing City policies or procedures to gain a personal advantage for oneself and/or others
- Planning or participating in a theft of City property, or the use of said property to aid or conduct a theft of any kind
- Inappropriate personal use of or intentional damage of City property.
- Undertaking any other illegal activity

Conflicts of Interest

A conflict of interest is understood to occur if an individual's personal affairs, business, or relationships overlap with their professional functions. In order to avoid any real or perceived conflict of interest, pecuniary interest or personal gain for the employee, their family or associates, an employee is not permitted to carry out any assigned duties for which a conflict of interest, or perceived conflict of interest, is present. Conflicts of interest could potentially arise in – but are not limited to – the following and employees shall avoid and reclude themselves from these situations of conflict:

- Decisions regarding the City's procurement of goods and services
- The advancement of an employee's personal business or outside activity
- The advancement of another person's business or organization outside for personal or indirect gain
- Any other matters that involve one's self or close colleagues, family members, or friends (including the display of nepotism in appointments, decisions, or instructions to municipal staff)

Business/Other Organizations Relations

Employees must demonstrate transparency with regards to their relations with businesses and/or organizations who do business with the City. No employee shall act as a paid agent before the Corporation or Council.

Employees shall recognize the need for their decision-making and actions to be viewed and perceived as impartial and transparent by refraining from having any pecuniary association with any business or organization that has interactions with them in the conduct of their duties and responsibilities. This may include but not be restricted to borrowing or receiving money or gifts, directly or indirectly.

Outside Work or Business Activities

Employees are permitted to participate in work or business activities outside of their normal tasks unless otherwise provided for in their employment contracts, and provided that these ventures do not interfere with regular duties. Interference is considered to be present if any of the following circumstances arise or are perceived to arise:

- The activity hinders the daily functions of the employee or their co-workers, or is likely to have a negative effect.
- The activity is taking place during work hours, occurring in a staff member's office, or any other physical area in the workplace or is taking place using City property (i.e. Computers).
- The activity includes the use of an employee's knowledge of confidential plans, projects, or information about the business or holdings of the Corporation.
- The activity is being promoted with advertisements, flyers, posters, or any other method of communication that is distributed.

City Expenditures and Purchases

All employees with procurement responsibilities shall be familiar with and adhere to the City's *Purchasing Policy*. This shall include adhering to the parameters of spending limits and following the procedures relating to the Policy. Employees shall not spend City funds for personal or non-work related business or for frivolous acquisitions. The principles of ensuring fair, competitive and transparent procurement processes will be supported and is a mandatory corporate expectation.

Revelation of Improper Behaviour – “Whistle-Blowing”

“Whistle-blowing” can be described as the identification and announcement of an observed, suspected or perceived misbehaviour by an individual towards another employee or individual. A misbehaviour consists of an action contrary to any part of this Code including but not limited to conflict of interest or pecuniary interests, City by-laws, provincial offences legislation, the Human Rights Code, or the Canadian Criminal Code.

Should an employee witness one of these actions taking place (or believe that it is occurring), she or he is obliged to report the issue to their Department Head. In cases where the Department Head is the person conducting the inappropriate behaviour, the employee will report the issue to the next level of supervision up to and including to the CAO. In the case of a matter involving the CAO, the matter shall be reported to the Mayor.

Employees will be corporately protected from any form of reprisal for reporting improper behaviour. Nor shall an employee experience any discriminatory or other unfavourable treatment; be overlooked for promotions or future employment considerations; or have their existing position terminated providing that the allegations are not ultimately found to be intentionally malicious or frivolous in nature.

Other Professional Codes of Conduct and Ethics

Employees shall disclose and submit for their personnel file any other Professional Codes of Conduct and/or Ethics that they must adhere to whether due to their professional designations and/or through memberships. This Code of Conduct is intended to support, not replace, such other Codes.

Disclosure

Whenever an employee considers that he or she could be involved in a conflict of interest, whether real or perceived, or other matter associated with this policy, the employee shall immediately disclose the situation to the Department Head or the CAO as the case may be. The employee shall abide by the advice given to him/her.

Any employee, Council member, Council, or a member of the public has the right to identify any alleged non-compliance. The individual shall bring the matter forward to the CAO or the Mayor (should the matter involve the CAO).

Compliance/Contravention

Upon receipt of an alleged contravention, the CAO shall, in consultation with the employee’s Department Head, determine the form an investigation will take. Additionally, the CAO will consult with the Department Head and Human Resources, should the contravention be verified, as to what action is appropriate to the circumstance. Actions may include discipline up to and including termination of service. The matter shall then be reported to Council for information purposes.

Any transgression of an illegal matter will be reported to the appropriate police authority.

POLICY, PROCEDURE AND IMPLEMENTATION:

The Employee Code of Conduct and Ethics will be reviewed no later than one year following a municipal election, or as required, from time to time.

All new employees will be required to sign the Value Statement as part of the Orientation process at the beginning of their employment. Existing employees will be advised of their obligations to follow the Code and will be required to sign the Value Statement (Schedule D) within 60 days.

The Human Resources Department shall keep a record of Value Statements by Employees for viewing by any member of the public during regular working hours.

CODE OF CONDUCT AND ETHICS
VALUE STATEMENT OF COMMITMENT - EMPLOYEES

Prior to commencing employment with the City and as part of the Employee Orientation Program, each employee shall recite the following and sign this Value Statement. For new or replacement policies, the policy will be reviewed with the employee by their supervisor, signed and filed with the Human Resources Department

As an Employee of the City of Kawartha Lakes I am committed to discharging my duties conscientiously and to the best of my ability.

I have read the City of Kawartha Lakes Code of Conduct and Ethics for Employees and I support and will follow the Code in my undertakings relating to my position with the City. Specifically:

- I will act with honesty and integrity, and conduct myself in a way that generates teamwork, confidence in our abilities, and enhances the image of our Corporation
- I will treat every person with dignity, understanding and respect.
- I will act in a manner that fosters and supports a positive work environment by following the Culture Values defined as “Respect, Integrity, Teamwork, Competency, Excellence, Communication and Positive Attitude”.
- I will optimize the use of assigned resources to provide the maximum benefit to the Corporation and the community, and I will only use City resources for activities associated with the discharge of my official duties.
- I will be responsible for the disclosure of any situation, perceived or otherwise, where my personal interests may conflict with the Corporation. Further, I will avoid any situations, real or perceived, which would provide me, my family, or other associates, a pecuniary advantage of any kind, through my employment with the City.
- I will neither solicit nor accept any gift or benefit, directly or indirectly, the acceptance of which would compromise my ability or perceived ability to make impartial decisions or recommendations.
- I will honour the need for confidentiality and ensure that confidential information to which I may be privy as a result of my position shall remain confidential during and after my employment, except as may be required by law.
- I will ensure that my communications are consistent, open, honest, transparent and in the best interests of the Corporation and the community.
- I will abide by any other Professional Codes of Conduct or Ethics which are required by my professional designation or through any memberships paid for by the City.

Signed and witnessed on this ____ day of _____, 20__.

Print Name

Signature

Witness