

Salt Spring Island Fire Protection District

POLICY MANUAL

Section	Administration
Policy Number	AG-1105.01
Policy Title	Board of Trustees Code of Conduct

DEFINITIONS

“*Board of Trustees*” means the Board of Trustees of the Salt Spring Island Fire Protection District;

“*Committee*” means a *Standing Committee*, *Select Committee*, panel or task force established by motion of the Board of Trustees of the Salt Spring Island Fire Protection District;

“*District*” means the Salt Spring Island Fire Protection District;

“*Elector*” means a person eligible to vote at an election who has met the requirements as specified in the Letters Patent of the Salt Spring Island Fire Protection District;

“*Employee*” means a person who is excluded staff, career and/or paid-on-call member of the Salt Spring Island Fire Protection District;

“*Members*” means a person who is elected a trustee of the *District* or a who is appointed by the *Board of Trustees* to be a member of a *Committee*;

“*Select Committee*” means a committee established by motion of the Board of Trustees of the Salt Spring Island Fire Protection District for a limited purpose or task; and

“*Standing Committee*” means the Communications and Marketing, Facilities and Physical Plant, Finance and Audit; and Strategic Planning and Policy Development committees of the Salt Spring Island Fire Protection District.

STATEMENT OF POLICY

The Salt Spring Island Fire Protection District has adopted a Code of Conduct which is applicable to members of the Board of Trustees and to any person appointed by the Board of Trustees to *standing* or *select* committees, panels or task forces. The Code of Conduct is outlined in Attachment 1 of this policy.

The purpose of the Code of Conduct is to ensure that:

1. Public business is conducted with integrity, in a fair, honest, and open manner.
2. *Members* respect one another, the public, and staff and recognize the role and contribution each person has in making Salt Spring Island Fire Rescue a responsive and sustainable fire-rescue service that effectively meets community needs and is valued by those it serves.
3. *Members* conduct in the performance of their duties and responsibilities with the *District* is above reproach.
4. The decision-making processes are accessible, participatory, understandable, timely, and just in addition to the requirements of applicable enactments.

Complaint handling and disciplinary action arising from alleged breaches of the Code of Conduct will be conducted as outlined in Attachment 2 of this Policy.

BOARD DISCRETION

The provisions set out in this policy are subject to revision from time to time at the discretion of the *Board of Trustees*.

RELATED DOCUMENTS

Administrator – One Employee of Board (Policy AG-4301.01)

Community Charter [SBC 2003] Chapter 26

Ministry of Community Services, *Improvement District Manual*

Gifts to Employees (Policy AE-2404.01)

Respectful Workplace (Policy AE-2401.01)

APPROVALS

Approval date:	2021-10-18	Approved by:	Board of Trustees
1. Amendment date:		Approved by:	
2. Amendment date:		Approved by:	
3. Amendment date:		Approved by:	

Attachment 1

CODE OF CONDUCT

**For members of
Salt Spring Island Fire Protection District
Board of Trustees
and Board Appointees to Standing and Select Committees, Panels, and Task Forces
("Members")**

**Adopted by the Board of Trustees of the Salt Spring Island Fire Protection District
October 18, 2021**

PREAMBLE

To earn the confidence and respect of residents, electors, and businesses on Salt Spring Island *Members*, individually and collectively must act fairly, ethically and be accountable. The purpose of this Code of Conduct ("*Code*") is to establish guidelines for the ethical and interpersonal conduct of members of the *Board of Trustees* and appointees.

The public expects a responsive local government with the highest standards of professional conduct from *Members* appointed by or elected to it. Honesty, integrity, objectivity, due diligence, and accountability are some of the core ethical values reflected in this *Code*. *Members* are expected to perform their function of office faithfully and to the best of their knowledge and ability, in accordance with these core ethical values.

APPLICATION OF THE CODE

This *Code* applies to all members of the Board of Trustees and to any person appointed by the Board to standing or select committees, panels, or task forces.

1. Act in the Public Interest

Recognizing that the *District* seeks to provide effective, responsive, and responsible local government, *Members* will conduct business with integrity, in a fair, honest and open manner.

2. Comply with the Law

Members shall comply with all applicable Federal, Provincial, and local laws in the performance of their public duties. These laws include but are not limited to: the *Constitution Act*; the Provincial *Human Rights Code*; the *Criminal Code*, the *Local Government Act*; the *Community Charter*; laws pertaining to financial disclosures and employer responsibilities; and relevant *District* bylaws and policies.

3. Conduct of Members

The conduct of *Members* in the performance of their duties and responsibilities with the *District* must be fair, open and honest. *Members* shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of other members, employees, or the public.

4. Respect for Process

Members shall perform their duties in accordance with the policies and procedures and rules of order established by the *Board of Trustees* governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the *Board of Trustees* by *District employees*. *Members* of committees, panels or task forces shall be aware of the mandate of their respective committee/panel/task force, and act in accordance with it.

5. Conduct of Public Meetings

Members shall prepare themselves for public meetings; listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall not interrupt other speakers; make personal comments not germane to the business of the body or otherwise disturb a meeting.

6. Decisions Based on Merit

Members shall base their decisions on the merits and substance of the matter at hand, including input received from *District employees* and the public.

7. Sharing Substantive Information

Subject to paragraph 10, *Members* shall publicly share substantive information that is relevant to a matter under consideration by the *Board of Trustees* or *Committee*, which they may have received from sources outside of the public decision-making process. If a *Member* has a concern regarding whether the information received should be shared, they shall first consult with the Corporate Administrator or Chair of the *Board of Trustees*.

8. Conflict of Interest

Members shall familiarize themselves and act in accordance with the provisions set out in the conflict of interest sections of the *Improvement District Manual*, Section B – Improvement District Administration and in accordance with the Conflict of Interest provisions of the *Community Charter*.

9. Gifts

Members must not directly or indirectly, accept a fee, gift or personal benefit that is connected with the performance of their duties, except in accordance with Policy AE-2404-01 *Gifts to Employees*, or where such gifts or favours are received as an incident of the protocol, social obligation, or common business hospitality that accompany the duties and responsibilities of the member. A *Member* may participate in programs open to the public and may purchase *District* property or goods offered for public sale.

10. Confidential Information

Members shall respect the confidentiality of information concerning the property, personnel, or legal affairs of the *District*. *Members* shall neither disclose confidential information without proper authorization, nor use such information to advance their personal, financial, or other private interests. Without limiting the generality of the foregoing, *Members* shall not disclose motions or staff report contents from a closed meeting of the *Board of Trustees* or *Committee* unless and until a Board decision has been made for the information to become public and shall not disclose detail on deliberations of closed meetings or how individual members voted on a question in a closed meeting.

11. Use of Public Resources

Members shall not use public resources not available to the public in general, such as staff time, equipment, supplies or facilities, for private gain or personal purposes. *Members* shall not undertake election campaign related activities on *District* premises unless such activities are organized by the *District* such as all-candidate information sessions. *Members* shall not use *District* equipment, technology or property for election campaign work.

12. Advocacy

Members shall represent the official policies or positions of the *Board of Trustees* or *Committee* to the best of their ability when designated as delegates for this purpose. When presenting their individual opinions and positions, *Members* shall explicitly state they do not represent *Board of Trustees*, *Committees* or the Salt Spring Island Fire Protection District, nor will they allow the inference that they do.

13. Policy Role of Members

Members shall respect and adhere to the Administrator - One Employee of Board (Policy AG-4301-01) structure of government as practiced by the *District*. In this structure, the *Board of Trustees* determines the policies of the *District* with the advice, information and analysis provided by *District Employees*, *Committees*, and the public. *Members*, therefore, shall not interfere with the administrative functions of the *District* or with the professional duties of *District Employees*; nor shall they impair the ability of staff to implement the *Board of Trustees*' policy decisions.

Because of the value of the independent advice of advisory *Committees* to the public decision process, members of the *Board of Trustees* shall refrain from using their position to unduly influence the deliberations or outcomes of appointed *Committee* meetings.

14. Positive Workplace Environment

Members shall treat other members, the public and *District Employees* with respect and shall be supportive of the personal dignity, self-esteem and well being of those with whom they meet during their professional duties. *Members* shall be aware of and act in accordance with the *Respectful Workplace Policy*.

15. Implementation

The *District's* Code of Conduct is intended to be self-enforcing. *Members* should view the *Code* as a set of guidelines that express collectively the standards of conduct expected of them. It, therefore, becomes most effective when *Members* are thoroughly familiar with the *Code* and embrace its provisions.

The Code of Conduct will be provided to candidates for trustee and applicants to *Committees*. Members elected to the Board of Trustees or appointed to a *Committee* will be requested to sign the Member Statement affirming they have read and understood the District's Code of Conduct. In addition, the *Board of Trustees* and *Committees* shall review annually the Code of Conduct, and the *Board of Trustees* shall consider recommendations from *Committees* and update the *Code* as necessary.

16. Compliance and Enforcement

The *District's* Code of Conduct expresses standards of ethical conduct expected for members of the *Board of Trustees* and *Committees*. *Members* themselves have the primary responsibility to assure that these ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of the governance of the Salt Spring Island Fire Protection District.

The *District* will not retaliate against *Members* or *Employees* who, in good faith, report a known or suspected violation of this *Code*. No reprisals or threat of reprisals shall be made against such complainant, or against anyone for providing relevant information in connection with a suspected violation of this *Code*. *Members* shall respect the integrity of this *Code* and the enforcement of it.

The *Board of Trustees* may impose sanctions on *Members* whose conduct does not comply with the *District's* ethical standards, such as motion of censure. The *Board of Trustees* may also rescind the appointment of a *Member* to a *Committee* for breaching the Code of Conduct.

To ensure procedural and administrative fairness, a *Member* who is accused of violating any provision of the Code of Conduct with the exception of paragraph 14 shall have a minimum of one week, or the time between two

consecutive meetings, whichever is greater, to prepare their case to respond to these allegations.

Before considering a sanction, the *Board of Trustees* must ensure that a *Member* has

1. received a written copy of the case against them;
2. a minimum of one week, or the time between two consecutive meetings, whichever is greater, to prepare a defence against any allegations; and
3. an opportunity to be heard.

The procedures outlined in the *Respectful Workplace* Policy have been adopted by the Board of Trustees for dealing with a complaint under the *Respectful Workplace* Policy (see paragraph 14, above).

A violation of this Code of Conduct shall not be considered a basis for challenging the validity of a decision of the Board of Trustees or a recommendation made by a Committee.

Attachment 2

CODE OF CONDUCT BREACHES, COMPLAINT HANDLING AND DISCIPLINARY ACTION

For members of
Salt Spring Island Fire Protection District
Board of Trustees
and Board Appointees to Standing and Select Committees, Panels, and Task
Forces (“Members”)

Adopted by the Board of Trustees of the Salt Spring Island Fire Protection
District
October 18, 2021

Members must abide by the requirements of the Code of Conduct policy and shall endeavour to resolve disputes in good faith, recognizing that interpersonal rancour does not facilitate good governance.

1. An alleged breach of the Code of Conduct policy may be submitted by a *Member* or *Employee*. Complaints shall be submitted simultaneously in writing to the Chair of the Board of Trustees (“Chair”) and the Corporate Administrator within six (6) months of the last alleged breach. The *Chair* and Corporate Administrator are authorized to extend this six (6) month deadline if circumstances warrant an extension.

In the event that the *Chair* is the subject of, or is implicated in the complaint, the complaint shall be addressed to the Corporate Administrator unless that individual is the subject of or implicated in the complaint.

If both the *Chair* and Corporate Administrator are implicated in the complaint, the complaint shall be submitted in writing to the District’s solicitor.

2. Upon receipt of a complaint under section 1, the *Chair* and Corporate Administrator shall, if they are not able to resolve the matter informally, within thirty (30) days, appoint an independent third party identified and agreed between the Complainant(s) and Respondent(s) who has the necessary

professional skills, knowledge, and experience to investigate the complaint (the “Third Party Investigator”).

If the parties cannot agree on the choice of investigator, the District’s solicitor will select this person.

3. The *Third Party Investigator* must conduct a preliminary assessment of the complaint, at the conclusion of which the investigator may determine whether to continue the investigation or make a written recommendation that the complaint be dismissed as unfounded, beyond the jurisdiction of the Code of Conduct policy or unlikely to succeed.
4. If the *Third Party Investigator* determines to continue the investigation, the *Third Party Investigator* shall:
 - a. Conduct an independent and impartial investigation of the complaint in a manner that is fair, timely, confidential and otherwise accords with the principles of due process and natural justice;
 - b. Provide an investigation update within ninety (90) days of their appointment to the *Chair*, and to the Complainant and the Respondent;
 - c. Provide a written, confidential report (the “Report”) of the findings of the investigation, including findings as to whether there has been a breach of this Code of Conduct to the *Chair* and to the Complainant and the Respondent; and,
 - d. Provide recommendations in the *Report* as to the appropriate resolution of the complaint. Recommendations may include:
 1. dismissal of the complaint;
 2. censure;
 3. removal from committee membership;
 4. prohibition from representing the District at events and/or attending conferences or seminars;
 5. a recommendation that an apology be given;
 6. counselling and/or coaching; or,
 7. such other recommendations as are deemed appropriate in the judgment of the *Third Party Investigator*.

5. The *Chair* shall provide the *Report* or a summary of the *Report* to the *Board of Trustees*.
6. If a *Report* or a summary of a *Report* is presented to the *Board of Trustees*, the *Board of Trustees* will decide if the recommendations in the *Report*, whether in whole or in part, will be imposed.
7. The Corporate Administrator will receive and retain all *Reports*.
8. Where a *Member* alleges a breach of this Code of Conduct by another member all *Members* shall refrain from commenting on such allegations at open meetings of the Board of Trustees or committees, pending the conclusion of the *Report* and any decision of *Board of Trustees* on the *Report*.