

Bylaw 19870

Code of Conduct for Members of Council Committees

Purpose

To establish a code of conduct for members of Council Committees.

Readings

Bylaw 19870 is ready for three readings.

A majority vote of City Council on all three readings is required for passage.

If Council wishes to give three readings during a single meeting, then prior to moving third reading, Council must unanimously agree “That Bylaw 19870 be considered for third reading.”

Position of Administration

Administration supports this Bylaw.

Report Summary

The *Municipal Government Act* allows for the establishment by bylaw of a code of conduct governing members of Council Committees who are not Councillors. The proposed bylaw in Attachment 1 of this report is informed by Bylaw 18483, Council Code of Conduct Bylaw, research into other municipalities’ codes of conduct for Council Committee members, and engagement with stakeholders.

Report

The *Municipal Government Act* allows City Council to establish by bylaw a code of conduct for members of Council Committees. Such a code would not apply to members of Council appointed to these Committees as there is already a Council Code of Conduct (Bylaw 18483).

On November 26, 2019, City Council directed Administration to prepare a work and engagement plan to develop a code of conduct for members of Council Committees. On April 6, 2021, Council approved the following list of Council Committees whose members would be governed by the proposed code:

- advisory committees;

- ad hoc committees and task forces;
- Audit Committee; and
- three decision-making bodies (Edmonton Combative Sports Commission, Edmonton Salutes, and Naming Committee).

Research

Administration surveyed eight municipalities: Vancouver, Calgary, Red Deer, Saskatoon, Winnipeg, Ottawa, Toronto and the Regional District of Halifax. With the exception of one (City of Red Deer), all have a code of conduct that applies to members of Council Committees. While the City of Red Deer does not have such a code, it does include a section on conflicts of interest in its Committees Bylaw.

Not all of these codes of conduct apply exclusively to Council Committee members. For example, Vancouver's code applies to both City Councillors and Council Committee members, whereas Winnipeg's code applies to employees, volunteers and anyone representing the City (other than members of Council, who have their own code of conduct).

Information on other municipalities's codes of conduct can be found in Attachment 2.

Based on the research conducted, the following have been identified as important elements of a code of conduct for Council Committee members:

Guidance and Proactive Advice

It is important that Council Committee members have access to a resource who can provide advice and answer questions on the code of conduct. Administration will assist Council Committee members by providing proactive advice and answering questions about the code's application in specific situations.

Informal Resolution

A process to facilitate informal resolution may be a helpful option to provide to Council Committee members, and is included in Schedule B of Bylaw 19870 (Attachment 1).

Receiving Complaints and Investigating Breaches

A clearly defined process to manage reports of alleged breaches of a code of conduct and a transparent process for investigating reports sets expectations for potential complainants, and is included in Schedule C of Bylaw 19870 (Attachment 1).

Sanctions

To deter breaches, it is important that a code of conduct include potential sanctions for substantiated breaches. A list of possible sanctions is provided in Schedule D of Bylaw 19870 (Attachment 1). Nothing requires Council to impose a sanction for a substantiated breach.

Effective Date

Bylaw 19870 Code of Conduct for Members of Council Committees will come into force on January 1, 2022. This will allow time for the bylaw to be socialized with members who are required to adhere to it before it is effective.

Annual Reporting

At least once annually, the Office of the City Clerk will provide a report to Council that includes a summary of the code of conduct activities, if any.

Public Engagement

Feedback was collected from current members of in-scope Council Committees and Administration. This feedback informed the proposed code of conduct.

Attachments

1. Bylaw 19870 - Code of Conduct for Members of Council Committees
2. Research into Other Municipalities' Codes of Conduct

Others Reviewing this Report

- K. Fallis-Howell, Acting City Solicitor