

Bylaw 18483

To Establish the Council Code of Conduct

Purpose

The purpose of this bylaw is to establish the Council Code of Conduct.

Readings

Bylaw 18483 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 18483 be considered for third reading.”

Position of Administration

Administration supports this Bylaw.

Previous Council/Committee Action

At the June 11, 2018, Council Services Committee meeting, the following motion was passed:

That Administration bring forward to the June 26, 2018, City Council meeting a bylaw to establish the Council Code of Conduct, as outlined in revised Attachment 1 of the June 11, 2018, Office of the City Manager report CR_6095.

Report Summary

Pursuant to the *Municipal Government Act*, Council must establish a code of conduct governing the conduct of Councillors. The code of conduct must address matters set out in the *Code of Conduct for Elected Officials Regulation*, Alberta Regulation 200/2017, and be in place by July 23, 2018. This report presents, for Council approval, a bylaw to establish the Council Code of Conduct (Attachment 1). The Code of Conduct is a result of an iterative process of development by Council Services Committee’s Code of Conduct Sub-committee.

Report

Pursuant to section 146.1 of the *Municipal Government Act*, Council must, by bylaw, establish a code of conduct governing the conduct of Councillors. The code of conduct must address matters set out in the *Code of Conduct for Elected Officials Regulation*, Alberta Regulation 200/2017, and be in place by July 23, 2018.

Council Code of Conduct Development Timeline

December 5 and 8, 2018, City Council meeting

Council directs Administration to bring forward a bylaw to establish a sub-committee of Council Services Committee to provide guidance to Administration in developing a code of conduct.

January 23, 2018, City Council meeting

Amendments to Bylaw 18156, Council Committees Bylaw, are passed, establishing the Code of Conduct Sub-committee. At the same meeting, Councillors are appointed to, and meeting dates set, for the Sub-committee.

February 26, 2018, Code of Conduct Sub-committee meeting

The Sub-committee approves its work, research and public engagement plans for the development of the code of conduct.

Direction is given to prepare, for discussion at the following Sub-committee meeting, a draft code of conduct based on feedback given at the February 26 meeting. The Sub-committee gave specific direction on the sections and topics to be included in the code, as well as articulated the code's principles and values.

Administration is directed to return to the Sub-committee's next meeting with a draft complaint systems based on two scenarios (with and without an Integrity Office).

April 9, 2018, Code of Conduct Sub-committee meeting

Administration presents the results of Sub-committee-directed engagement, including results from the March 2018 Mixed Topic Survey of the Edmonton Insight Community. A total of 2180 participants responded to questions on the code of conduct.

The Sub-committee considers the public feedback, reviews its next iteration of the draft code and directs Administration to bring forward the following to the May 7 Sub-committee meeting:

- a draft code of conduct, including a complaints protocol, based on information provided by Administration and direction given at the meeting
- draft policies and guidelines to support the code of conduct, including a lobbyist code of conduct and lobbyist registry, attendance notification guidelines, a Councillor communications standards policy, and a human resources management policy for Council staff
- timelines, an expedited work plan, a draft bylaw and draft policies to implement an integrity office composed of both an Integrity Commissioner and an Ethics Advisor

May 7, 2018, Code of Conduct Sub-committee meeting

The Sub-committee reviews a draft code of conduct incorporating direction given at the April 9 Sub-committee meeting. Further feedback and direction on revisions is given.

The Sub-committee directs Administration to share the draft code of conduct with all Councillors for review and to submit written feedback and questions to the City Clerk. Administration is directed to return to the following Sub-committee with a revised draft based on:

- feedback given at the May 7 meeting
- feedback received in writing by Councillors

May 8, 2018, City Council Meeting

Council directs Administration to proceed with the recruitment of an Integrity Commissioner and an Ethics Advisor, and to bring forward a bylaw to establish the designated officer position of Integrity Commissioner.

May 28, 2018, Code of Conduct Sub-committee meeting

The Sub-committee directs Administration to bring forward to the June 11, 2018, Council Services Committee meeting, further revisions to the draft code of conduct based on feedback given at the meeting.

Administration is also directed to bring forward, at future dates to be determined, the following, in general accordance with the drafts presented at the meeting:

- a Communications Standards Policy
- a Human Resources Management for Council Staff Policy
- revisions to Bylaw 18155, Council Procedures Bylaw, to include Attendance Rules for Councillors

The Sub-committee also directs Administration to conduct limited engagement with industry and community stakeholders on the proposed lobbyist registry.

June 11, 2018, Council Services Committee meeting

Committee directed Administration to bring forward to the June 26, 2018, City Council meeting a bylaw to establish the Council Code of Conduct, in accordance with the draft presented at the June 11 meeting.

June 26, 2018, City Council meeting

City Council may pass a bylaw establishing the Council Code of Conduct. If changes to the proposed bylaw are directed, these can return to the July 10, 2018, City Council meeting.

Next Steps

In the coming months, Administration will bring forward reports to address direction given by Council and Committee, including:

1. Amendments to Bylaw 18155, Council Procedures Bylaw, to set attendance rules for Councillors.
2. A bylaw to establish the designated officer position of Integrity Commissioner along with an updated complaints protocol to reflect the Integrity Commissioner's role.
3. A draft lobbyist registry and lobbyist code of conduct bylaws.

None of the above is required to meet legislated code of conduct requirements. Amendments to the code of conduct required by these bylaws will be included, as required.

Corporate Outcomes and Performance Management

Corporate Outcome(s): Edmontonians are connected to the City in which they live, work and play.			
Outcome(s)	Measure(s)	Result(s)	Target(s)
Reinforce accountability standards for members of Council and enhance the integrity and reputation of the City of Edmonton.	The code of conduct meets the legislated requirements within the legislated timeline.	A bylaw to establish the Council Code of Conduct is brought forward to the June 26, 2018, City Council meeting.	The Council Code of Conduct is in place by July 23, 2018.

Risk Assessment

Risk Element	Risk Description	Likelihood	Impact	Risk Score (with current mitigations)	Current Mitigations	Potential Future Mitigations
Public Perception	The code of conduct must be in place by July 23, 2018. Public perception of City Council may be affected if the code of conduct is not established within the legislated timeframe.	1 -rare	1 - minor	1 - low	A bylaw to establish the Council Code of Conduct is brought forward to the June 26, 2018, City Council meeting.	If changes to the proposed bylaw are directed, these can be brought forward to the July 10, 2018, City Council meeting, which is in advance of the July 23, 2018, legislated deadline.

Public Engagement

Questions regarding the development of a Council code of conduct were included in the March 2018 Mixed Topic Survey of the Edmonton Insight Community. The survey was open from March 20 to 27, 2018 and 2,180 participants responded. The results of the engagement were presented to the Code of Conduct Sub-committee in the April 9, 2018, Office of the City Manager report CR_5733. The following groups were also surveyed, and their responses outlined in the same report: Members of City Council, Administration, and Chairs of the City's Advisory and Decision-Making Boards.

Attachment

1. Bylaw 18483

Others Reviewing this Report

- R. Kits/S. Padbury, Acting Deputy City Managers, Financial and Corporate Services