



# CITY POLICY

**POLICY NUMBER: C568**

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**AUTHORITY:** City Council

**EFFECTIVE DATE:**

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**TITLE:** Code of Conduct and Conflict of Interest Guidelines for LRT Governance Board Members

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**POLICY NUMBER: C 568**

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**REFERENCE:**

**ADOPTED BY:**

City Council July 17, 2012

**SUPERSEDES:**

**New**

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**PREPARED BY:** Office of the City Clerk

**DATE:**

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**TITLE:** Code of Conduct and Conflict of Interest Guidelines for LRT Governance Board Members

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**The purpose of this policy is to:** Fulfill the requirement pursuant to Bylaw 15659 LRT Governance Board Bylaw, to establish a Code of Conduct and Conflict of Interest Guidelines for LRT Governance Board Members.

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## **Policy Statements:**

### **Definitions:**

**“Administration”** means the personnel, financial and other related resources of the City managed by the City Manager;

**“Associate” includes:**

- the Member’s spouse or adult interdependent partner, the Member’s children or parents and the parents of the Member’s spouse or adult interdependent partner
- persons with whom the Member has a familial or personal relationship that would give rise to a reasonable apprehension of bias
- a corporation which the Member owns, directly or indirectly, more than 10% of the voting shares
- a partnership or firm of which the Member is a member
- a trust or an estate in which the Member has a beneficial interest or for whom the Member is a trustee
- any person with whom the Member has had an employment, contract or consulting relationship within two years from appointment on the Board

**“Board”** means the LRT Governance Board established by Bylaw 15659 LRT Governance Board Bylaw;



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“**City Auditor**” means the designated officer appointed by Council under Bylaw 12424, the City Auditor Bylaw;

“**Conflict of interest**” occurs when:

- a Member, in performing their duties as Member, has an opportunity to further his or her own private interests or those of an Associate, or
- a reasonably well informed person could perceive a Member’s ability to perform their duties as a Member are, or will be, affected by the Member’s private interests, or those of an Associate

“**Council**” means the Municipal Council of the City of Edmonton;

“**Member**” means a person appointed to the Board pursuant to Bylaw 15659 LRT Governance Board Bylaw

**Code of Conduct and Conflict of Interest Requirements:**

1. Members must be independent, act with integrity and be responsible to City Council and citizens.
2. Members will make decisions in an impartial manner and in the best interests of the citizens of Edmonton.
3. Members must not use their position as Member for any personal advantage or to gain any advantage for any other person or business.
4. Members must not accept any fee, gift or any other benefit that is connected with, or would reasonably be perceived to be connected with, the performance of the Member’s duties, other than remuneration and reimbursement from the City for performance of the Member’s duties as a Member.
5. Members must not divulge any confidential information presented to the Committee or obtained by the Members in the course of their duties.
6. Members will respect the collective decisions of the Board. Should a Member publicly disagree with a decision of the Board or should a Member comment upon a matter not yet before the Board, she/he will clearly identify that they are speaking as an individual and not on behalf of the Board. A Member may not state the Board has taken a position on a matter until the matter has been voted upon.



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7. Members must be informed about matters coming before the Board and participate in Board decisions, unless the Member has a Conflict of Interest.
8. Members who have a Conflict of Interest must:
  - disclose the general nature of the conflict prior to any discussion of the matter,
  - abstain from voting on any motion relating to the matter,
  - abstain from any discussion on the matter, and
  - leave the room in which the meeting is being held until discussion and voting on the matter are complete.

## Breach of Code:

1. Any person may report an alleged breach of this code to the City Auditor. Members of the Administration, Councillors and Members *must* report to the City Auditor if they have a reasonably well informed belief that there has been a breach of this code.
2. The City Auditor will investigate the complaint expeditiously. In doing so, the City Auditor may conduct any investigation deemed appropriate, involving any party. The City Auditor may use the services of a third party contractor to conduct the investigation. Where there are reasonable grounds to believe that fraud or another criminal act may have occurred, the City Auditor will contact the Edmonton Police Service. The City will cooperate fully in any subsequent investigation.
3. If the allegations are serious, the City Auditor may bring a report to City Council recommending suspension of the Member's service on the board until the investigation is complete.
4. At the conclusion of the investigation, if a breach has been found to have occurred, the City Auditor will bring a report to Council with the details of the breach and investigation process and will recommend one or more of the following consequences, considering the seriousness of the breach and the history of the Member's conduct:
  - (a) formal reprimand of Member
  - (b) the member's suspension or termination from the Board, and
  - (c) any other appropriate consequence

The City Auditor may also recommend that Council rescind, if practicable, any decision of the Board that is in any way related to the breach.