



COWICHAN BAY WATERWORKS DISTRICT

CODE OF CONDUCT - TRUSTEES

This Code of Conduct applies to all elected officials at the Cowichan Bay Waterworks District. Trustees will exhibit the highest standards of conduct. Their conduct must instill confidence and trust and not bring the Cowichan Bay Waterworks District into disrepute. The honesty and integrity of the Cowichan Bay Waterworks District demands the impartiality of Trustees in the conduct of their duties.

The requirement to comply with this code of conduct is a condition of office. Trustees who fail to comply with this code of conduct may be subject to disciplinary action up to and including sanctions from other Board members.

1. LOYALTY

Trustees have a duty of loyalty to the Cowichan Bay Waterworks District and the ratepayers. They must act honestly and in good faith and place the interests of the District ahead of their own private interests.

2. CONFIDENTIALITY

Confidential information, in any form, that Trustees receive through their duties must not be disclosed, released, or transmitted to anyone other than persons who are authorized to receive the information. Trustees with care or control of financial, personal or sensitive information, electronic media, or devices must handle and dispose of these appropriately. Trustees who are in doubt as to whether certain information is confidential must ask the appropriate authority before disclosing, releasing, or transmitting it. Confidential information that Trustees receive through their official duties must not be used for the purpose of furthering any private interest, or as a means of making personal gains.

3. PUBLIC COMMENTS

Trustees may comment on public issues but must not engage in any activity or speak publicly where this could be perceived as an official act or representation, unless authorized to do so. Trustees must not jeopardize the perception of impartiality in the performance of their duties through making public comments or entering into public debate regarding Cowichan Bay Waterworks District policies, practices or bylaws.

4. SERVICE TO THE PUBLIC

Trustees must be sensitive and responsive to the changing needs, expectations, and rights of a diverse public in the performance of their official duties.

In alignment with provincial accessibility standards, the District is committed to identifying, removing, and preventing barriers to its services. Trustees shall ensure that public communication, engagement opportunities, and access to District services are conducted in an inclusive manner

that accommodates individuals of all abilities, ensuring a barrier-free experience for all members of the community.

5. POLITICAL ACTIVITY

Trustees may participate in political activities including membership in a political party, supporting a candidate for elected office, or seeking elected office. Trustees' political activities, however, must be clearly separated from activities related to their official duties. If engaging in political activities, Trustees must remain impartial and retain the perception of impartiality in relation to their duties and responsibilities. Trustees must not use Cowichan Bay Waterworks District facilities, equipment, or resources in support of these activities.

6. BEHAVIOUR

Trustees are to treat each other and District employees with respect and dignity and must not engage in discriminatory conduct prohibited by the BC Human Rights Code. The prohibited grounds are race, colour, ancestry, place of origin, religion, family status, marital status, physical disability, mental disability, sex, sexual orientation, gender identity or expression, age, political belief or conviction of a criminal or summary offence unrelated to the individual's office or employment.

Further, the conduct of Trustees must meet acceptable social standards and must contribute to a positive team environment. Bullying or any other inappropriate conduct compromising the integrity of Cowichan Bay Waterworks District will not be tolerated. All Trustees may expect and have the responsibility to contribute to safe space. Violence is unacceptable. Violence is any use of physical force on an individual that causes or could cause injury and includes an attempt or threatened use of force.

Trustees must report any incident of violence. Any Trustee who becomes aware of a threat must report that threat if there is reasonable cause to believe that the threat poses a risk of injury. Any incident or threat of violence in the District must be addressed immediately. Trustees must conduct themselves professionally, be fit for duty, and be free from impairment while on official business (for example: from alcohol or drugs).

7. WORKING RELATIONSHIPS

Trustees involved in a personal relationship which compromises objectivity, or the perception of objectivity, shall not participate in any decisions in that regard. A reporting relationship exists where one Trustee has influence, input, or decision-making power over another, or the relationship affords an opportunity for collusion between the two Trustees that would have a detrimental effect on the District's interest. This restriction on working relationships may be waived provided that the Trustees are satisfied that sufficient safeguards are in place to ensure that the District's interests are not compromised.

8. CONFLICTS OF INTEREST

A conflict of interest occurs when a Trustee's private affairs or financial interests are in conflict, or could result in a perception of conflict, with the official duties or responsibilities in such a way that the Trustee's ability to act in the public interest could be impaired, or the Trustee's actions or

conduct could undermine or compromise the public's confidence or the trust that the public places in the Cowichan Bay Waterworks District.

While the Cowichan Bay Waterworks District recognizes the right of Trustees to be involved in activities as citizens of the community, conflict must not exist between Trustees' private interests and the discharge of their official duties. Upon election, Trustees must arrange their private affairs in a manner that will prevent conflicts of interest, or the perception of conflicts of interest, from arising. Trustees who find themselves in an actual, perceived, or potential conflict of interest must disclose the matter to the Chairperson. Trustees will not accept nor solicit a gift, benefit, or service on behalf of themselves or other Trustees.

Examples of conflicts of interest include, but are not limited to, the following:

- A Trustee uses Cowichan Bay Waterworks District property, equipment, business accounts, or the Trustee's position or office to pursue personal interests or the interests of another organization.
- A Trustee is in a situation where the Trustee is under obligation to a person who might benefit from or seek to gain special consideration or favour.
- A Trustee, in the performance of official duties, gives preferential treatment to an individual, corporation, or organization, including a non-profit organization, in which the Trustee, or a relative, friend, or acquaintance of the Trustee (where a significant personal bias exists), has an interest, financial or otherwise.
- A Trustee benefits from, or is reasonably perceived by the public to have benefited from, the use of information acquired solely by reason of the Trustee's office.
- A Trustee benefits from, or is reasonably perceived by the public to have benefited from, a government transaction over which the Trustee can influence decisions (for example, investments, sales, purchases, borrowing, grants, contracts, regulatory or discretionary approvals, appointments).
- A Trustee accepts from an individual, corporation, or organization, directly or indirectly, a personal gift or benefit that arises out of official duties with the Cowichan Bay Waterworks District, other than:
 - The exchange of hospitality between persons doing business together;
 - Small tokens exchanged as part of protocol;
 - The normal presentation of gifts to persons participating in public functions; or
 - The normal exchange of gifts between friends.
- A Trustee accepts gifts, donations, or free services for work-related leisure activities other than in situations outlined above.

PROTOCOL FOR DECLARATION AND RECUSAL IN MEETINGS

Where a matter comes before the Board of Trustees (including regular, special, or committee meetings) in which a Trustee has an actual, perceived, or potential conflict of interest, the Trustee must strictly adhere to the following procedure:

- 1. IMMEDIATE DECLARATION: The Trustee must disclose the conflict immediately when the agenda item arises, or as soon as they become aware of the conflict, and before any discussion or debate on the matter begins.*
- 2. STATE THE GENERAL NATURE: The Trustee must state the general nature of the conflict for the record. The Trustee must not participate in any board discussion, debate, or vote on the matter.*
- 3. PHYSICAL RECUSAL: The Trustee must immediately leave the meeting room, or disconnect from the electronic platform if the meeting is held virtually, for the entire duration of the discussion, debate, and voting on that specific item.*
- 4. MINUTES RECORDING: The recording secretary shall formally record in the official minutes:*
 - o The name of the Trustee declaring the conflict and the general nature stated;*
 - o The exact time the Trustee left the room or disconnected; and*
 - o The exact time the Trustee re-entered the room after the item was fully concluded and voted upon.*
- 5. INFLUENCE PROHIBITION: The Trustee must not attempt, before, during, or after the meeting, to influence the decision or voting of any other Trustee or staff member regarding the matter.*
- 6. LOSS OF QUORUM DUE TO CONFLICT: If the recusal of conflicted Trustees reduces the number of remaining Trustees to fewer than the number required for a quorum, the Board cannot vote or deliberate further on the matter. The item shall be tabled until a future meeting at which a legal quorum without conflict can be achieved. If the conflict of interest is permanent or ongoing and a conflict-free quorum is impossible to achieve, the District Administrator shall apply to the Minister of Municipal Affairs for an order establishing a temporary quorum or appointing temporary members.*

9. ALLEGATIONS OF WRONGDOING

Trustees have a duty to report any situation relevant to the Chairperson or District Administrator that they believe contravenes the law, misuses public funds or assets, or represents a danger to public health and safety or a significant danger to the environment. Trustees can expect such matters to be treated in confidence, unless disclosure of information is authorized or required by law. Trustees will not be subject to discipline or reprisal for bringing forward to the District Administrator or Chairperson, in good faith, allegations of wrongdoing in accordance with this Code.

Trustees must report their allegations or concerns to the Chairperson or District Administrator, who will together review the matter and respond in writing within 10 days of receiving the Trustee's submission. Where an allegation involves the District Administrator, the Trustee must forward the allegation to the Chair. If the Trustee decides to pursue the matter further then:

- Allegations of criminal activity are to be referred to the police;
- Allegations of a misuse of public funds are to be referred to the Auditor General;
- Allegations of a danger to public health must be brought to the attention of Island Health and/or other appropriate Health Authorities;
- Allegations of a significant danger to the environment must be referred to the Ministry of Environment.

10. LEGAL PROCEEDINGS

Trustees must not sign affidavits relating to facts that have come to their knowledge in the course of their duties for use in court proceedings unless the affidavit has been prepared by a lawyer acting for Cowichan Bay Waterworks District in that proceeding or unless it has been approved by the Cowichan Bay Waterworks District solicitor. A written opinion prepared on behalf of the District by any legal counsel is privileged and is, therefore, not to be released without prior approval of the Chairperson.

11. HUMAN RESOURCE DECISIONS

Trustees are to disqualify themselves as participants in human resource decisions when their objectivity would be compromised for any reason or a benefit or perceived benefit could result. For example, Trustees are not to participate in staffing actions involving direct relatives/persons living in the same household.

12. OUTSIDE REMUNERATIVE AND VOLUNTEER WORK

Trustees may hold other jobs, carry on a business, receive remuneration from public funds for activities outside their position, or engage in volunteer activities provided it does not:

- Interfere with the performance of their duties as a Trustee;
- Bring the Cowichan Bay Waterworks District into disrepute;
- Represent a conflict of interest or create the reasonable perception of a conflict of interest;
- Appear to be an official or to represent Trustee opinion or policy;
- Involve the unauthorized use of Cowichan Bay Waterworks District premises, services, equipment, or supplies; or
- Gain an advantage that is derived from their official duties with the Cowichan Bay Waterworks District.

ANNUAL REVIEW AND BOARD UNDERTAKING

We, the undersigned Trustees of the Cowichan Bay Waterworks District, hereby acknowledge that we have collectively reviewed, understood, and agree to conform to and be bound by this Code of Conduct.

Name: Calvin Skide Signature: [Signature] Date: 28/05/26
Trustee

Name: Maira Hawk Signature: [Signature] Date: 28/5/26
Trustee

Name: Sharon Moss Signature: [Signature] Date: 28/5/26
Trustee

Name: SCOTT CUNNINGHAM Signature: [Signature] Date: 28/5/26
Trustee

Name: JULIA BALABANOWICZ Signature: [Signature] Date: 26/06/26
Trustee

Witness Name: Nicole Ponte Signature: [Signature] Date: 28/05/26
District Administrator