

## **Standards of Conduct for Cowichan Bay Waterworks District Trustees**

This Standard of Conduct statement 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 these standards of conduct is a condition of office. Trustees who fail to comply with these standards 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. 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.

#### **5. 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.

#### **6. Behaviour**

Trustees are to treat each other with respect and dignity and must not engage in discriminatory conduct prohibited by the 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 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 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. 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.

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 appointment, 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 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 or equipment 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 or friend of the Trustee, 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 employment;
- 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;
  - 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; or
- A Trustee accepts gifts, donations, or free services for work-related leisure activities other than in situations outlined above.

## **8. 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.

## **9. Allegations of Wrongdoing**

Trustees have a duty to report any situation relevant to the Chairperson 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 Standard.

Trustees must report their allegations or concerns to the Chairperson or District Administrator, who will review the matter and responded to 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 health authorities;
- Allegations of a significant danger to the environment must be referred to Min 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 or District Administrator.

## 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 an 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 work time or 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.

**Trustees Shall Review this Standard of Conduct Statement annually and:**

- Objectively and loyally fulfill their official duties and responsibilities, regardless of their personal opinions;
- Disclose and cooperate with the District to resolve conflicts of interest or potential conflict of interest situations in which they find themselves;
- Report incidents of bullying, breaches of the Standards of Conduct and wrongdoing;
- Avoid engaging in discriminatory conduct or comment; and,
- Check with the Chairperson or District Administrator when they are uncertain about any aspect of this statement.

Lew Penney, Chair

Judi Baker

Peter Edgar

Wendy Gregg

Calvin Slade

Witness Signature

Cheryl Wirsz