

HALDIMAND COUNTY

POLICY No. 2001 - 19

Subject: CODE OF CONDUCT

Purpose: To assist employees in matters of conduct to avoid conflict of interest and to serve the public in a manner beyond reproach.

Policy: Attached seven pages define Haldimand County Policy No. 2001 - 19

The Corporation of Haldimand County

Human Resources Division

CODE OF CONDUCT

January 2001

The Corporation of Haldimand County recognizes its responsibility and accountability to the public through the Council of the Corporation of Haldimand County.

The Corporation of Haldimand County expects each and every employee to adhere to the following Code of Conduct, in the delivery of their services to the public and the Corporation. It is not intended for use by County Councillors, as they are covered by the *Municipal Conflict of Interest Act*.

It is recognized that no set of guidelines can address every ethical question. These guidelines are not intended to be exhaustive. They are intended to assist employees in matters of conduct, to avoid conflict of interest and to serve the public in a manner beyond reproach.

CONFLICT OF INTEREST

Employees shall not, without approval:

1. Engage in any business or transaction or have a financial or other personal interest which is in conflict with the discharge of their official duties;
2. Engage in any outside work or activity in business undertaking:
 - that interferes or appears to interfere with the employee's duties
 - in which the employee has an advantage or appears to have an advantage derived from employment with the Corporation
 - in a professional capacity that will or might appear to influence or affect the carrying out of duties as a Haldimand County employee.

Employees shall not:

1. Place themselves in a position where they are under obligation to any person who might benefit from special consideration or favour on their part or who might seek preferential treatment, in any way;
2. Place themselves in a position where they could derive any direct or indirect benefit or interest from any contracts about which the employee can influence decisions;
3. Benefit from the use of information acquired during the course of official duties which is not generally available to the public;
4. Participate in any decision, promotion or make any recommendation to their supervisor, Committee or Council, in which they or their family has any financial interest except as a resident of Haldimand County;
5. Solicit or accept any gift, present or favour; the acceptance of which shall place or appear to place the employee under an obligation to the donor in the County in a compromising situation;
6. Accept a specific gesture without determining with their supervisor whether or not it constitutes "moderate hospitality".

DISCLOSURE

Whenever an employee considers he or she could be involved in a conflict of interest as prohibited by this policy, the employee shall disclose the situation to his/her Manager, General Manager or the Chief Administrative Officer, and shall abide by the advice given.

Once an employee has disclosed an interest it is understood that he/she will be removed from the decision - making process relative to the interest that has been disclosed.

MEDIA RELATIONS

In dealing with the media, it is important to not only consider the type of information that is being disseminated but also the process by which that information is disseminated.

To safeguard against obvious pitfalls in dealing with the media, only staff at the level that attends Council and Committee Meetings, are authorized to make any comments or supply information to the media. This would generally mean those at the General Manager or Managerial level, including the Chief Administrative Officer.

Staff, in providing information to the press, will convey only factual and objective information related to policies, reports, by-laws or information adopted by Committee or Council.

Media releases must be approved through a General Manager (or designate), or the Chief Administrative Officer.

As questions put forward by the Media could be limitless, staff must ensure that their comments support the decisions of Committee and Council, regardless of his or her personal opinion.

POLITICAL ACTIVITY

An employee of the Corporation of Haldimand County who intends to be a candidate in an election for Haldimand County, should consult the applicable sections of *The Municipal Act*, as well as any other relative legislation addressing the conditions of such candidacy vis-a-vis his / her employment.

Haldimand County employees may run for political office at all levels of government. Depending on the office sought, it may be necessary to request a leave of absence while campaigning. If elected, it may be necessary that the individual resign. Employees may campaign on behalf of candidates running for political office provided that it does not interfere with the performance of his / her normal duties, and it is done without reference to the fact that the employee is employed by the Corporation of Haldimand County.

Employees may be involved in provincial and federal campaigns as long as this involvement does not affect the objectivity with which they must discharge their duties.

MEMBERSHIP ON LOCAL AGENCIES, BOARDS, COMMISSIONS

Employees of the Corporation of Haldimand County shall not be involved with a local agency(ies),

Board(s), or Commission(s), if such service might affect the objectivity with which they must discharge their duties and also should consult the applicable sections of *The Municipal Act*.

Employees of the Corporation of Haldimand County, where appointed in an advisory capacity by Council to attend local Agency(ies), Board(s) or Commission(s), shall not vote on any matter before the body.

CONFIDENTIALITY OF INFORMATION

Onus is placed on the General Managers and Managers to ensure that employees are cognizant of confidential information held in their department.

Employees shall not disclose or release by any means to any member of the public, either in verbal or written form, any personal and confidential information or material acquired by virtue of their official position as an employee.

Employees shall not permit any person to inspect or have access to information, papers or documents that are confidential, other than those persons who are appropriately entitled thereto.

Formal procedures are in place, in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*, which govern the collection, use and disclosure of personal and confidential information by the Corporation of Haldimand County.

Employees shall not, by virtue of their position with the Corporation, use information not available to the public for perceived personal or private gain or for the gain of friends, relatives, or any person or corporation having dealings with the County.

All personnel matters and files of an employee of the Corporation shall be kept in strictest confidence with the Human Resources Division, and knowledge of their contents shall be available only to those who need the information in the performance of their duties and if the disclosure is necessary and proper in the discharge of the organization's function.

Where an employee is unsure of the status of information, he/she shall confirm with the Clerk or Deputy Clerk.

For your reference, the following is an excerpt from the *Municipal Freedom of Information and Protection of Privacy Act, 1989, Section 3* under "General":

- "3. - (1) Every head shall ensure that reasonable measures to prevent unauthorized access to the records in his or her institution are defined, documented and put in place, taking into account the nature of the records to be protected.
- (2) Every head shall ensure that only those individuals who need a record for the performance of their duties shall have access to it.

- (3) Every head shall ensure that reasonable measures to protect the records in his or her institution from inadvertent destruction or damage are defined, documented and put in place, taking into account the nature of the records to be protected. O.Reg. 517 / 90.s.3."

PROPERTY

Property of the Corporation of Haldimand County, such as vehicles, equipment and materials, shall not be used by employees for personal use unless authorization, in writing, has been obtained from a Manager or General Manager with a copy sent to the Chief Administrative Officer.

Property of the Corporation of Haldimand County also includes computer programs, technological innovations, and other patentable items devised while in the employ of the Corporation and which remain the exclusive property of the Corporation of Haldimand County.

Employees are expected to use all Corporate vehicles, equipment, and materials with due care and accountability. Failure to do so could result in disciplinary action.

LOCAL AREA NETWORK, WIDE AREA NETWORK AND INTERNET ACCESS

The Information Technology Acceptable Usage Policy (AUP), as approved by Council, guides users of The Corporation of Haldimand County's Information Technology (IT) infrastructure. It balances the employee's ability to benefit fully from information technology with the County's need for secure and effectively allocated IT resources. This Information Technology Acceptable Use Policy (AUP) applies to all staff of The Corporation of Haldimand County and to those others offered access to company resources.

The following activities are prohibited on all networks owned or maintained by the Corporation of Haldimand County, and on the Internet when being accessed through County facilities.

Users are forbidden from:

1. engaging in illegal, unethical or malicious acts;
2. intentionally sending files or messages containing any program designed to disrupt other systems (commonly know as a *virus*);
3. accessing any resource, inside or outside of the County's networks, without explicit authorization (commonly known as *hacking*);
4. possessing, using, or transmitting unauthorized material (as protected by copy right);
5. creating, possessing, or distributing unlawful information on any computer system accessed through the County's networks (this includes pornographic, obscene, or other unacceptable material);
6. sending messages which include sexual, racial, religious, or ethnic slurs, profanity, or other abusive, threatening or otherwise offensive language (including chain letters);
7. revealing of personal information contrary to the *Municipal Freedom of Information and Protection of Privacy Act*;
8. using the networks or Internet for commercial objectives, other than County business;
9. gambling on the Internet;

10. engaging in time consuming and pointless Internet access that is not related to work (commonly known as *surfing*).

CONTRAVENTION

Should a situation arise which appears to be in contravention of this policy, the Chief Administrative Officer shall immediately convene a Committee, comprised of members of Senior Management Team (except any SMT member(s) directly related to the contravention in question) to determine if, in the committee's judgement, immediate suspension with or without pay, or any other action, is warranted.

ENFORCEMENT

1. The Chief Administrative Officer, General Managers, Managers and Supervisors shall, to the best of their ability, ensure that this Code is followed by individuals employed in their area of responsibility.
2. A General Manager, Manager or Supervisor having knowledge of a breach of this Code of Conduct by an employee shall bring such information immediately to the attention of the employee and the Chief Administrative Officer.
3. Any employee who has reason to believe that a General Manager, Manager or Supervisor is committing a breach of the Code shall approach the Chief Administrative Officer in confidence.
4. Where it is determined that an employee is in contravention of any one of the foregoing or of the Code itself, disciplinary action shall be taken.

Topical Index	Administration
Policy Number	2001-19
Short Title	Code of Conduct
SMT Approval Date	June 7, 2001
Council in Committee	General June 18, 2001 Recommendation # 7
Council Approval Date	June 25, 2001 Resolution 194-01
Originating Department	CS-HR-11-2001
Revisions	