

## UBCM EXECUTIVE CODE OF CONDUCT

<p>1. The Union of B.C. Municipalities is committed to maintaining the highest level of responsible conduct in all its work. To this end, the UBCM Executive Code of Conduct establishes conduct expectations and guidance for Executive Members and provides guidance for conduct complaint handling, investigations, decisions, and penalties.</p>	
<p><b>2. Definitions</b></p>	<p><b>Union of British Columbia Municipalities (UBCM):</b> means the UBCM as established by the "Union of British Columbia Municipalities Act" and as detailed in the UBCM Bylaws</p> <p><b>Executive:</b> means the Directors of the UBCM as detailed in the UBCM Bylaws</p> <p><b>President:</b> means the president of the UBCM</p> <p><b>Vice-President:</b> means the vice-president of the UBCM</p> <p><b>Executive Member:</b> means a member of the UBCM Executive</p> <p><b>Executive Director:</b> means the UBCM Executive Director</p> <p><b>Personal information:</b> means any information that can be used to identify an individual, including, but not limited to, names, social insurance numbers, birth dates, income figures, addresses, or other descriptive statements</p> <p><b>Mediator:</b> means an individual(s) retained to consider, review and investigate complaints, and to make recommendations to the Executive</p>
<p><b>3. Application of the Code of Conduct</b></p>	<p>The UBCM Executive Code of Conduct applies to all members of the UBCM Executive. Executive Members shall abide by the UBCM Executive Code of Conduct when carrying out their duties and functions as Executive Members.</p>
<p><b>4. Compliance with the law</b></p>	<p>Executive Members must comply with all laws (e.g., UBCM Act) and regulations (e.g., UBCM Bylaws and Executive Policies) that apply to the performance of their duties ("Applicable Laws").</p> <p>Executive Members must be sufficiently familiar with the requirements of Applicable Laws to recognize risks and potential liabilities, and to avoid breaches of this Code of Conduct.</p> <p>Whenever Executive Members are unsure about the application or interpretation of any Applicable Law, or if uncertainty arises as to whether a course of action contemplated by the Executive Member is lawful or consistent with this Code of Conduct, they should:</p> <ul style="list-style-type: none"> <li>○ seek advice from the UBCM President or Executive Director;</li> <li>○ as necessary, seek independent legal advice.</li> </ul>
<p><b>5. Duty of loyalty</b></p>	<p>While conducting UBCM business Executive Members have a duty of loyalty to the UBCM, and in carrying out their duties and functions as Executive Members shall work in the best interests of the UBCM.</p>
<p><b>6. Non-partisan</b></p>	<p>Executive Members will carry out their Executive duties in a manner consistent with the UBCM's status as a non-partisan organization that works with all governments irrespective of the government's political affiliation.</p>
<p><b>7. Foundational Principles of</b></p>	<p>The Foundational Principles of Responsible Conduct, developed by the Working Group on Responsible Conduct, provide the basis for Executive Member conduct including their relationships with each other,</p>

<p><b>Responsible Conduct</b></p>	<p>with staff, with the UBCM membership, and the public. The Foundational Principles are considered as minimum standards of conduct.</p> <p>Executive Members should interpret and take guidance from the Foundational Principles described below in accordance with their responsibilities and obligations as Executive Members as set out in B.C. legislation, other applicable legislation, common law, and the policies and bylaws of the UBCM.</p> <p><b>Integrity:</b> Conducting oneself honestly and ethically</p> <p><b>Respect:</b> Valuing the perspectives, wishes, and rights of others</p> <p><b>Accountability:</b> An obligation and willingness to accept responsibility or to account for one's actions</p> <p><b>Leadership and collaboration:</b> An ability to lead, listen to, and positively influence others; coming together to create or meet a common goal through collective efforts, honestly and ethically</p>
<p><b>8. Conflict of Interest</b></p>	<p>Executive Members are expected to perform their duties conscientiously and in a manner which will not put their personal interest(s) in conflict with the interests of the UBCM.</p> <p>In broad terms, a conflict of interest exists for Executive Members who use their position at the UBCM to gain benefit for themselves, friends, or family, or where the personal interests of the Executive Member might otherwise influence the performance of their duties. The existence of a conflict of interest is determined objectively (would a reasonably well-informed person consider that the Executive Member might be influenced?) and not by whether the Member thinks they can maintain a sufficient degree of objectivity despite that personal interest.</p> <p>Executive Members should avoid situations which could be seen as a conflict of interest.</p> <p>The UBCM requires full disclosure to the Executive Director of all circumstances that could be construed as a conflict of interest. The Executive Director may recommend any actions needed to eliminate or address a potential conflict of interest.</p> <p>The following are examples of conflicts of interest that may arise for Executive Members:</p> <p><b>Accepting benefits</b> Executive Members or close family members should not accept entertainment, gifts, or favours which create or appear to create a favoured position for those doing business with the UBCM, except for the normal exchanges of small gifts or benefits common to business relationships.</p> <p>The following criteria may guide your judgment:</p> <ul style="list-style-type: none"> <li>○ the benefit has a token value (under \$100);</li> <li>○ you could easily reciprocate;</li> <li>○ the exchange could not be seen as creating an obligation; and</li> <li>○ it occurs infrequently.</li> </ul> <p>Inappropriate gifts received by an Executive Member should be returned to the donor with an explanation. In some cultures or business settings, the return of a gift or refusal of a favour would be offensive; in these cases, the Executive Member should refer the benefit and the circumstances to the President or Executive Director for guidance. Full and immediate disclosure of borderline cases will always be taken as good-faith compliance with this Code.</p> <p><b>Using confidential information</b> Executive Members must not use confidential information that they receive or have access to as members of the Executive to gain advantage for themselves or their close family members e.g., in business, investment or employment matters.</p>

	<p style="text-align: center;"><b>Using affiliation with UBCM</b> Executive Members should not use their affiliation with the UBCM to further personal activities or business relationships.</p>
<p><b>9. Confidential information</b></p>	<p>Executive Members shall not disclose confidential information that they receive or have access to as members of the Executive, except where the Executive has decided to release the information. This includes all information included in staff reports, meeting agendas, and minutes.</p> <p>Other than statements made by the Executive, confidentiality should be maintained following Executive meetings, and discretion used when reporting UBCM activities to area associations or local governments. <i>See Executive Policy Sec 6</i></p> <p>Further, Executive Members shall not disclose personal information that they receive or have access to as members of the Executive, and will comply with UBCM privacy policies to ensure that personal information is protected, and that practices and procedures are compliant with the provisions of B.C.'s Freedom of Information and Protection of Privacy Act (FIPPA). <i>See UBCM Executive Policy 14.2</i></p>
<p><b>10. Interactions with others</b></p>	<p>Executive Members will treat others in a respectful, understanding, and cooperative manner; will behave in a manner that is respectful to others; will not do anything that threatens the health, safety, security, or dignity of others; and can expect to be treated the same way.</p> <p>In their interactions with others, including Executive Members, UBCM members, staff, and the public, Executive Members shall:</p> <ul style="list-style-type: none"> <li>• Respect the views of others, even when one disagrees;</li> <li>• Recognize and value individual differences;</li> <li>• Communicate openly;</li> <li>• Support and encourage others;</li> <li>• Refrain from conduct that is prohibited under the B.C. Human Rights Code, including discrimination toward another person or group of persons based on their race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression, or age of that person, or that group or class of persons; <ul style="list-style-type: none"> <li>○ Discrimination is behaviour that involves words, conduct, or other behaviour toward others that is based on race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression, or age of that person, or that group or class of persons.</li> </ul> </li> <li>• Refrain from harassment, bullying, and intimidation; <ul style="list-style-type: none"> <li>○ Harassment includes sexual harassment and is objectionable behaviour which may include actions, language, gestures, and/or written or photographic material, and which the harasser knows or ought to know is abusive and/or unwelcome.</li> <li>○ Bullying is a form of harassment which is serious behaviour that targets an individual or group and which threatens the mental or physical well-being of that person or persons.</li> <li>○ Intimidation is the use of threats or behaviour that induces fear in another person.</li> </ul> </li> <li>• Refrain from offensive behaviour or language; and</li> <li>• Refrain from abuse of a position of authority or trust.</li> </ul>
<p><b>11. Interactions with staff</b></p>	<p>All interactions with staff shall be consistent with the conduct expected by this Code, specifically Section 10.</p> <p>The UBCM recognizes the distinct roles of the Executive as the governing body, and the responsibility of the Executive Director and staff to manage the day-to-day operations of the organization. Executive</p>

	<p>Members shall not interfere with the operational decisions and responsibilities of the Executive Director and UBCM staff.</p> <p>The UBCM President has a special role as the spokesperson for the Executive and as the conduit to staff for the decisions of the Executive and in reporting back to the Executive from staff.</p> <p>Except for the President or designate, Executive Members shall not direct staff or commit to spending except as where they are specifically authorized to do so.</p> <p>Executive Members shall not advocate for funding decisions or exert pressure on UBCM program funding staff.</p> <p>Executive Members shall avoid making requests that place undue burden or pressure on staff members or disrupt the organization's normal operations.</p>
<b>12. Political participation</b>	<p>An Executive member must take a leave of absence from the Executive once they declare an intention to run for nomination for provincial or federal office. If successful in the election, the Executive Member will resign from the Executive; if not successful the member may return to the Executive.</p>
<b>13. Communicating on behalf of the UBCM</b>	<p>The President is the recognized spokesperson for the UBCM. The Vice-Presidents, in order of seniority, may act in the absence of the President. Executive Members shall not communicate on behalf of UBCM unless authorized to do so by the President or designate. See <i>UBCM Executive Policy Section 6</i>.</p>
<b>14. Media relations</b>	<p>All media inquiries seeking the official position or reaction of UBCM should be referred to the Director of Communications.</p> <p>The President is the recognized spokesperson for the UBCM. The Vice-Presidents, in order of seniority, may act in the absence of the President.</p> <p>Committee Chairs are authorized to speak at the President's direction on behalf of UBCM regarding subjects on which their committees have been approved to act.</p> <p>The President may designate other spokespersons to address matters related to the work of a UBCM committee, task force, or working group.</p> <p>When speaking on behalf of the UBCM, all public communications by Executive Members shall be consistent with the majority decision of the Executive and general direction given by UBCM membership.</p> <p>See <i>UBCM Executive Policy Section 6</i></p>
<b>15. Social media</b>	<p>Executive Policy Section 6.5 provides guidance regarding social media as follows:</p> <p>The President and Executive are encouraged to make use of social media tools to provide transparency and raise awareness of the UBCM's work. Comments on social media related to the UBCM's work shall be consistent with the majority decision of the Executive and the policies established by the UBCM membership.</p> <p>In addition to the above noted policy, the use of social media by Board Members when carrying out their duties and functions as Executive Members when representing UBCM must be consistent with all UBCM policies, procedures, and this Code of Conduct.</p>
<b>16. Use of UBCM property</b>	<p>UBCM property and assets shall be used only for authorized, UBCM-specific purposes.</p>

<p><b>17. Informal complaint resolution</b></p>	<p>If, in good faith, an Executive Member considers a breach of this Code of Conduct has occurred, they should endeavour to resolve the conflict informally.</p> <p>This may involve:</p> <ul style="list-style-type: none"> <li>• Advising the other Executive Member of their concerns regarding a potential breach of the Code of Conduct, and requesting the other member take appropriate action such as offering an apology, ceasing the behaviour, or some other appropriate action; or</li> <li>• Requesting the President—or if the concern involves the President, requesting the Past President—to assist in discussion of the complaint with the other member in an attempt to resolve the matter informally. This may involve seeking advice about the alleged breach and/or bringing the parties together to discuss the concerns and possible remedies.</li> </ul> <p>Every effort should be taken to resolve the conflict informally before a formal complaint is made, however informal resolution is not a prerequisite to pursuing a formal complaint.</p>
<p><b>18. Formal complaint handling</b></p>	
<p>Who can make a complaint?</p>	<p>Complaints may be made by Executive Members.</p>
<p>Who are complaints made to?</p>	<p>Complaints shall be submitted in writing to the President, or if the complaint concerns the President, they shall be submitted to the Past President.</p>
<p>Complaint details to be submitted</p>	<p>All complaints shall be submitted in writing, email is acceptable, within six months of the alleged conduct breach having occurred.</p> <p>The written complaint should include the date, time, location, circumstance, nature of the alleged conduct breach, witnesses, and any other supporting evidence.</p>
<p>Who reviews and investigates the complaint?</p>	<p>Upon receipt of a formal complaint the President or Past President will:</p> <ol style="list-style-type: none"> <li>1. Engage with a UBCM appointed mediator to undertake a review of the complaint,</li> <li>2. Advise the Executive Member who is alleged to have breached the Code of Conduct (the “Respondent”) of the complaint, and</li> <li>3. Advise the President’s Committee of the complaint.</li> </ol> <p>All complaints and responses and related communications to the mediator are confidential, except that all parties to a complaint are entitled to a written copy of the complaint, including the source, and where required by principles of procedural fairness, are entitled to be informed of any subsequent communications to the mediator in relation to the matter of the complaint, whether by the parties to the complaint or by witnesses, and the President’s Committee will be informed.</p>
<p>Initial and/or full review by the mediator</p>	<p>The mediator will conduct an initial review of the complaint and may conclude that, in their opinion the complaint is not justified, without merit, or is so minor or vexatious that a full review is not warranted. In such a case the mediator may recommend to the President’s Committee that the complaint be dismissed.</p> <p>If following the initial review, the mediator determines the allegations in the complaint, if proven following a full review, would lead to a finding of a violation of the Code of Conduct, they will undertake a thorough review of the circumstances, and may attempt to resolve the matter through mediation. If mediation is not successful, or if the mediator considers that mediation is unlikely to result in a successful</p>

	<p>resolution, following completion of their review the mediator will provide a written report including recommendation(s) to the President’s Committee for action.</p> <p>If the mediator determines, in their sole discretion, that the alleged conduct might be an offence under the Criminal Code of Canada, the mediator shall notify the parties and the matter will not be pursued under this Code.</p>
Who makes the determination on the complaint?	<p>In the event a complaint proceeds to a full review, and is not resolved by mediation, the mediator’s report will be submitted to the President’s Committee for decision and action. In the event that a complaint is resolved by mediation, a brief report will be provided to the President’s Committee.</p> <p>If the President’s Committee is of the opinion that the allegations are serious, it must inform the respondent of the alleged breach of this Code, the mediator’s recommendations, and the sanction(s) contemplated, and provide the Respondent the opportunity to be heard, in writing or in person, before the President’s Committee renders its decision. Having heard the respondent, the President’s Committee may ask the Respondent to leave the meeting as it renders its decision.</p> <p>The Respondent is entitled to be represented by independent legal counsel at their expense.</p>
Disciplinary action and sanctions	<p>If the President’s Committee determines that the complaint is justified, it may sanction the Respondent by one or more of the following or other appropriate sanctions:</p> <ul style="list-style-type: none"> <li>• Request the Respondent issue a written apology to the complainant and/or others involved in the circumstance;</li> <li>• Require that the Respondent undertake training relevant to the incident, including: cultural awareness training, diversity equity and inclusion training, social media training, or other appropriate training;</li> <li>• Suspend the Respondent from UBCM committees and/or external appointments;</li> <li>• Report details of the complaint and decision in writing to the Respondent’s local government; or</li> <li>• Public sanction or disclosure of the complaint and the mediator’s recommendations.</li> </ul>
Board member charged/convicted with criminal offence	<p>If an Executive Member is charged with a criminal offence and is required to take a leave from their Council or Board as outlined in the Community Charter and Local Government Act, they will be requested to take a leave of absence from the Executive until the matter is concluded.</p> <p>If an Executive Member is convicted of a summary conviction offence, they may be requested to resign from the Executive.</p>
Appeals	<p>Either party to a complaint has the option of appeal to the Executive for a review of the procedural steps taken in the complaint review. A request for appeal must be provided to the Executive Director in writing within 14 days of a determination by the President’s Committee. The Executive will hear an appeal and render its decision within 30 days of receiving a request for appeal. If the Executive determines that procedural fairness was not provided during the complaint review process, the Executive may consider the evidence and the circumstances giving rise to the complaint and may substitute its own decision for that of the President’s Committee.</p>
Code requires Executive Members to sign	<p>All Executive Members are required to agree to and sign this UBCM Executive Code of Conduct annually following each UBCM election.</p>
Time limit on submission of complaint	<p>All complaints must be submitted within six months of the conduct which is alleged to amount to a violation of this Code of Conduct.</p>

Time limit on review	<p>All formal complaints shall be reviewed by the mediator within 30 days, and the mediator’s recommendations shall be considered by the President’s Committee within three months. These time frames can be extended by the President’s Committee given extenuating circumstances.</p> <p>The President’s Committee will endeavour to handle all complaints expeditiously so as to minimize stress on all parties concerned.</p>
Confidentiality of complaints	<p>All complaints and subsequent reports and correspondence are confidential unless otherwise determined by the President’s Committee.</p>
No retaliation	<p>Executive Members may report suspected or potential violations of this Code of Conduct without fear of retaliation.</p> <p>Executive members shall not act with or threaten reprisal against a complainant or any other person for reporting misconduct.</p>

## UBCM Executive Code of Conduct

I, \_\_\_\_\_ (print name) have read, understood and agree to comply with the UBCM Executive Code of Conduct.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date