
The County has undertaken the task of formulating a Code of Conduct ("the Code") in order to both promote professionalism and to ensure that the relationship of trust that exists between staff and the public remains an integral part of local government in Ontario. Since its inception, local government has been understood to be an open, accessible and accountable form of government.

The purpose of a Code of Conduct for municipal employees is to foster a universal understanding of the fundamental rights, privileges and obligations of a municipal public employee. A Code of Conduct recognizes that a municipal public servant has a responsibility to uphold the basic principles of integrity, honesty, confidentiality, impartiality and common sense as an integral part of their employment relationship with the County. Moreover, they must support and promote the interests of the County at all times and avoid placing themselves in situations where their personal or other interests actually or potentially conflict with the interests of the County. In instances where conflict between personal/other and public interest arise, County employees must forfeit any perceived right to protect a personal interest in favour of that which is of most benefit to the public they serve.

The Code is intended for municipal employees as a guide to proper conduct. However, it is not intended to be exhaustive or to address every conceivable situation, which may arise. Therefore, if you have questions about the application of the Code to a particular situation, please contact the Director of Human Resources of the County of Elgin for clarification. As well, if you are unsure whether a course of action conflicts with the Code, you contact the Director of Human Resources for guidance prior to commencing that course of action.

You should also contact the Chief Administrative Officer if you believe that your situation warrants special consideration. The Chief Administrative Officer can refer your situation to County Council for consideration. Any variation from the standards of conduct set out in this Code must have prior written authorization from County Council.

All County employees must comply with the Code. Supervisors are responsible for ensuring that the Code is distributed to all employees under their supervision, including new employees as they are hired. An employee who has reason to believe that a breach of the Code has taken place should report the matter to his or her immediate supervisor or, where necessary, directly to the County Chief Administrative Officer.

Conflict of Interest

All people have interests outside of the workplace. It is important for the integrity of the County that its employees not use their position with the County to further their own personal interests or to act in such a way that the public would perceive the employee to be using his or her position to further a private interest or place themselves in a situation which direct or indirect private interests or personal considerations or other professional activities may effect an employee's judgment in acting in the best interest of the County.

Generally, no employee should accept employment or engage in a business or community agency board that:

- interferes with the performance of the employee's job with the County;
- receives an advantage from the fact that the employee is employed by the County;
- is likely to influence or alter the employee's performance of his or her job.

In addition, when engaging in any outside employment, business or community agency board, a County employee should ensure that it is made clear that his or her involvement with the outside employment, business or community agency board is strictly in a personal capacity, and not on behalf of the county and must inform their director of such position.

In addition, Staff who hold positions as board members at community agencies that deal with issues related to their work at the county shall inform their Director of their appointments. When issues arise that place the employee in actual or potential conflict with County policies and procedures, they must declare a conflict of interest and not participate in any decision making on the issue in question.

Gifts, Favours and Services

A County employee shall not accept a gift, favour or service from any individual or organization in the course of the performance of civic duties other than:

- normal hospitality among persons doing business;
- token exchanges as a part of protocol;
- normal presentations made to persons participating in public functions.

However, the recipients should not allow themselves to reach a position whereby they might be or might reasonably be deemed by others to have been influenced in making a business decision as a consequence of accepting such hospitality.

Employees shall not use the name "Corporation of the County of Elgin" to obtain discounts for privately purchased goods or services and goods and services may not be purchased through any municipal purchasing agency.

Employees shall not demand or receive a preferential treatment in the use of municipal facilities or services unless doing so is a requirement of the employee's job duties.

County Property

County property is owned by the Corporation of the County of Elgin to be used for the benefit of the citizens of Elgin County. Because it is important that employees of the County not use their positions for personal gain or act in a way that the public could perceive the employee to be using his or her position for personal gain, no employee shall use county property for purposes other than as required by the employee's job duties unless otherwise approved by the Department Head.

Every employee shall take reasonable precautions to prevent loss, damage or excessive wear and tear to County property.

County Information

Just as it is important that an employee not use County property for personal gain, an employee must also avoid using information gained through his or her employment for personal gain.

In addition, some County employees come into possession of confidential or sensitive information in the course of carrying out their duties about residents, patrons, their families, Employees and the County. This information must not be disclosed except where previously authorized by the employee's Department Head or by County Council.

"Information" also includes information about systems or procedures for performing any activity performed by the County and include reports prepared for the use of the County. The release of information about County computer systems requires the prior written approval of the Director of Information Technologies or County Council.

Legislation applies to the release of information gathered by municipal employees in the course of their duties. Information must be safeguarded or released as required by this legislation. For further information on how the Municipal freedom of information and privacy legislation affects County employees, please contact Municipal Freedom of Information & Privacy Officer or delegate.

Providing information to the media is the responsibility of the Department Head. In larger departments, the Department Head may delegate this responsibility to subordinates. No other County employee should be making statements or granting interviews to the media about the County without prior written authorization from the Department Head.

Criminal Code Offences

Certain criminal offences are of such a nature that committing them will be a breach of the employment relationship and may result in suspension with or without pay or in termination.

For example, if an accountant employed by the County and entrusted with County funds were to commit fraud and embezzlement, even in a situation unrelated to his or her employment, the accountant's actions could lead the County to the conclusion that the employee could not be trusted to continue in his or her job with the County and appropriate action would be taken.

Relatives

County employees must not use their employment with the County for the benefit of relatives. In particular, no county employee, without prior written permission from County Council, shall grant any County business or order goods or services of any kind from an immediate relative, or a business in which an immediate relative or relatives owns more than ten percent of the business.

(An immediate relative includes a spouse, brother, sister, child or parent).

Political Activity

County employees may run for and serve in elected offices provided no conflict of interest exists between the elected office and the employee's responsibilities to the County. Of course if the employee intends to continue to be employed with the County during his or her term of office, the employee must ensure that the duties of the elected office, like any other outside activity, do not interfere with the performance of his or her job duties.

Employees who require a leave of absence to run for elected office should raise the matter with their Department Head, who will refer the matter to County Council for a decision, taking into account whether a conflict of interest exists or could reasonably be perceived, whether the duties of position is likely to interfere with the performance of the employee's job and staffing requirements during the time period for which leave has been requested.

Resolving Conflicts with the Code

Conflicts with the Code can be resolved in a variety of ways. Where an outside financial interest is involved, it may be appropriate for the employee to divest him or herself of the outside financial interest or to place it in a blind trust. In other cases, a transfer to a different department or a leave of absence may be sufficient to resolve a conflict.

Discipline and Discharge

Where an employee acts in a manner that breaches the conditions of the Code or refuses to comply with a method of resolving a conflict with the Code, disciplinary action may be required. Disciplinary action may include an oral or written warning, a suspension or termination, in accordance with usual disciplinary procedures. Disciplinary measures may be reviewed in the normal fashion, such as by a grievance in the case of disciplinary action taken against an employee covered by a collective agreement.

Severability

The provisions of this Code shall be severable and if any provision, section or word is determined to be invalid or unlawful, such determination shall not affect or impair any of the remaining provisions, sections or words.

EMPLOYEE ACKNOWLEDGEMENT

The preceding Code of Conduct has been explained to me and I have received, read and understood the Code of Conduct for the Corporation of the County of Elgin.

Employee Name (please print)

Department (please print)

Signature of Employee

Date