PREAMBLE

Public service is a form of public trust. That public trust can easily be broken by any lapse in the behaviour of someone in public service. Once public trust is questioned, it is more difficult for the Member, their Organization, or the Association to regain the trust of the public in the future.

The public expects Members, as public servants in local government, to:

a) conduct themselves in a neutral and non-partisan manner;

b) use the power of their positions for the well-being of citizens and the community;

c) discharge faithfully their duties and responsibilities without fear, favour, or prejudice;

d) conduct themselves with honour and integrity;

e) avoid situations which can impair their judgment in the performance of their duties or could give that impression;

f) treat all people fairly, courteously, and in good faith;

g) value diversity and respect people’s rights;

h) create an environment of honesty, openness, and accountability;

i) make decisions with evidence-based impartiality; and

j) commit to transparent stewardship of community assets.

A Member’s ethical responsibilities extend to their conduct as a Professional in local government, their conduct on behalf of their Organizations, their conduct towards Others, and their conduct as a representative of the Profession and Member of the Association.

DEFINITIONS

• Association means the Local Government Management Association (LGMA).

• Code means the Code of Ethics of the Association.

• Governing Body means the Council or the Board of the Organization.

• Member means a member of the Association.

• Organization means the local government or the agency which employs the Member.

• Others mean, as the context applies: other employees, volunteers and individuals of the Organization; agencies that interact with the Organization; the media; or the public.

• Profession means the local government industry and associated entities.

• Professional means a person with particular knowledge, training, and skills to perform specific tasks in service of the public interest.
CONDUCT AS A PROFESSIONAL

Principle No. 1 - A Member shall carry out their duties and responsibilities to the best of their abilities.

Professional Commentary

A Member shall give their earnest efforts and best thinking based on best practices in the Profession at the time. In this age of rapid change, a Member cannot be expected to be familiar with every new development or best practice. However, to ensure both currency and competency in work, a Member should diligently assess and engage in ongoing professional development and continuing education to ensure continued competency in their discipline. This includes actively participating in technical and professional development seminars, continuing education programs and presentations of papers at professional meetings in order to advance their professional development.

A Member should offer services and advice or undertake assignments only in areas of their competencies by virtue of training and experience and, if required, a Member should employ the services of others who have specialized knowledge or expertise to supplement their own capabilities.

Principle No. 2 - A Member shall conduct themselves in a professional manner in order to maintain the respect, trust, and confidence of the Organization, Others, and the Association.

Professional Commentary

A Member shall distinguish between facts, assumptions, and opinions in preparing reports, communicating with the Governing Body, elected officials, colleagues, citizens, the media, and when participating in public forums. A Member shall avoid any bias in giving an opinion or advice. A Member shall provide professional advice at all times, even if the person receiving the advice is not in agreement with the advice or if the advice is not what that person wants to hear. When presenting complex issues to a non-technical audience, a Member shall simplify the discussion without losing any critical elements required for comprehension.

By virtue of their position within the Organization, a Member shall be careful how they exert influence over others. A Member should be conscious of how individuals may attempt to influence the Member’s decisions and actions for reasons other than the best interests of the Organization. A Member should be free to carry out any official policies without inference and handle each problem without discrimination based on principles of procedural fairness.
Principle No. 3 - A Member shall put the interests of the Organization before their own self-interest.

Professional Commentary

The foundation of conflict of interest provisions is based on the belief that a person working in local government is there to serve others, not themselves. Even the perception of a conflict of interest calls into question all actions (past, present or future) taken by that person working in local government. If a person working in local government is in a situation in which their judgment could be impaired because of personal experience, knowledge or information only they hold, the public expects that Member to be upfront and disclose the potential impairment immediately.

A Member shall be mindful that their personal activities and interests outside of the Organization could create issues for them at work. A Member shall not engage in private employment, render services for private interests, or conduct a private business when that employment, services, or business could create a conflict with the Organization or impair the proper discharge of their official duties. Teaching, lecturing, or writing are activities which may not necessarily involve a conflict of interest or impair the proper discharge of their official duties. A Member shall disclose any activities or interests outside of the Organization which could impact the reputation of the Organization.

A Member shall be cautious of the potential for obtaining personal gain arising from the result of holding their position. For example, the Member shall not use public resources, funds, equipment or property for personal reasons. Also, a Member shall not accept any gift that could undermine public confidence. The Member shall adhere to their Organization’s policies or guidance from the Governing Body or any applicable federal, provincial, or local law. This is not intended to apply to normal social practices that are not associated with official duties or where gifts are exchanged among friends and relatives.

Principle No. 4 - A Member shall keep separate their personal and professional responsibilities and relationships.

Professional Commentary

The Code recognizes that a Member has a life outside of their work for the Organization. However, a Member shall take care to maintain the divide between their professional and personal lives. This divide is for the benefit of Others, not just the Member. The public is very sensitive to instances when that divide is blurred.

A Member shall not allow their relationships with Others to affect negatively the best interests of the Organization. A Member shall actively take precautions to keep separate their personal lives from their professional duties and obligations.
A Member shall not make any private promises of any kind bearing upon their duties. A Member shall be mindful of the degree of influence that the Member holds because of their position within the Organization and act accordingly.

**CONDUCT ON BEHALF OR IN SUPPORT OF ONE’S ORGANIZATION**

**Principle No. 5 - A Member shall uphold the ideals of effective and democratic government through professional management.**

**Professional Commentary**

This principle recognizes that the vast majority of Organizations within the province have a separation between the roles of the Chief Executive Officer (the Mayor or the Chair) and the Chief Administrative Officer. In order to provide effective and democratic government, elected officials and the staff need to respect that separation.

A Member must at all times demonstrate respect for the perspectives, rights and responsibilities of the members of their Governing Body and their role in local government in community decision-making.

If the Organization functions with a one employee model, the Members shall respect the authority and responsibility vested in the Chief Administrative Officer and act in a manner that supports that model.

A Member should give their whole time and attention to the Organization’s business while at work, ensuring that their work is carried out efficiently, effectively, and economically. A Member shall seek to employ more efficient and economical ways of accomplishing their tasks in support of the business and strategic objectives of the Organization.

**Principle No. 6 - A Member shall, by virtue of their role within local government, demonstrate the highest standards of ethical conduct and integrity to merit the trust and respect of the elected and appointed officials, employees and the public.**

**Professional Commentary**

A Member shall put loyalty to the highest moral principles and to the law above loyalty to any person, party, or government department. Ultimately, the Member is accountable to the Organization as a whole, not the individual members of the Governing Body.

If there is a conflict between a Member’s responsibility to the Organization and to the protection of the public, the Member shall not disclose confidential information or use such information to disadvantage the Organization. However, if a Member fails to report a situation that may endanger the safety or welfare of the public, the Member would be in violation of this principle.
A Member may find themselves in situations where their recommendations are questioned by someone without the technical expertise to appreciate both the rationale of the recommendation and the potential consequences of failure to accept the recommendation.

The Member shall make all reasonable efforts to provide the most appropriate, non-partisan advice to the decision-maker so the best possible decision on the circumstances can be made. However, the Member should recognize that the decision-maker may choose not to adopt the proposed recommendation. If the decision made differs from the proposed recommendation, the Member shall still implement the decision to the best of their abilities.

**Principle No. 7 - A Member shall not act to the detriment of the Organization.**

**Professional Commentary**

A Member shall treat all Governing Body members in a fair and equitable manner, regardless of the Member’s personal opinion about those individuals.

A Member shall recognize that elected officials are entitled to the credit for the establishment of local government policies, while the responsibility for policy execution rests with the Member.

Although a Member shares with other citizens the right and responsibility to vote, a Member shall be politically neutral, refraining from all political activities which undermine public confidence in the professional administration of the Organization.

Because of their duties, a Member may have access to privileged or confidential information which is not available to others and therefore must ensure that information is kept privileged or confidential. Information that is in the public domain or accessible by means of an open records request is not considered to be privileged or confidential.

**CONDUCT TOWARDS OTHERS**

**Principle No. 8 - A Member shall treat others in a fair, unbiased, and equitable manner.**

**Professional Commentary**

Members shall treat others with respect having due regard for others’ perspectives, wishes and rights, displaying deference to the offices of local government, and the role of local government in community decision-making. Others have a right to expect impartial behaviour on the part of the Member in executing their duties.
Members shall provide fair treatment to Others with due regard for their perspectives, wishes and rights regardless of their personal situations. Members shall also provide equitable treatment to Others so that they may all receive the same opportunity.

Principle No. 9 - A Member shall be responsive to the rights and needs of all Others.

Professional Commentary

A Member shall be respectful of different perspectives and differing opinions others of a different age, gender identity, ethnicity, religion, sexual orientation, personal beliefs or values bring. A Member shall make all personnel decisions free from discrimination based on race, colour, religion, gender identity, sex or sexual orientation, national origins, political affiliation, disability, age, marital status or family status. A Member shall treat all employees fairly and impartially when making their decisions.

A Member shall show professional respect in the way that they evaluate the work of their colleagues and peers and the way that they handle themselves in employment issues. The decisions and actions by a Member must consider the dignity and rights of the individual impacted by the decision or action. This does not mean that the Member should not make the appropriate decision or take the appropriate action in order to fulfill their duty and obligations to the Organization. However, the manner in which the Member decides or acts should be respectful and considerate of the impact on the individual.

A Member shall strive to eliminate barriers to public involvement in decisions, programs, and services in order to ensure that everyone within their jurisdiction has the ability to engage actively with their Organization.

CONDUCT AS A REPRESENTATIVE OF THE PROFESSION AND MEMBER OF THE ASSOCIATION

Principle No. 10 - A Member shall uphold the letter and the spirit of the law and this Code.

Professional Commentary

A Member shall uphold the laws of Canada, starting with the Constitution, flowing through to the statutes, and ending with local bylaws of their Organization. A Member shall report any hazardous, illegal or unethical conduct of which they become aware and take all measures required to correct or block the conduct whether it is in the workplace or outside of the workplace if it impacts the work, responsibilities or reputation of their Organization.

Through informal contact, normal working relationships, or special circumstances, a Member may develop the opinion that the work of another Member or Professional is deficient. Inadequacies may arise from unskilled practice or unprofessional conduct. If the immediate physical safety of the public is in jeopardy, a Member shall notify the appropriate agencies.
The need for prompt notification is necessary to prevent potential harm to the public through the continuation of unacceptable practices. Some hazards are slow to develop but yet they are of potentially great danger. Such actions should be reviewed with the same concern for maximum public protection.

Principle No. 11- A Member shall be respectful towards other Members, colleagues, and peers.

The public will judge a Profession, in part, by the manner in which those working in that Profession treat their colleagues and peers. In order for the public to have faith in the Profession, Members shall:

a) refrain from mean-spirited behaviour towards other Members, colleagues and peers;
b) safeguard the reputation of other Members, colleagues and peers;
c) not impugn the integrity of other Members, colleagues and peers;
d) not impute wrongdoing on the part of another Member, colleague or peer without substantive evidence;
e) refrain from questioning the motives of other Members, colleagues or peers if there has been no investigation of their actions;
f) avoid blaming a Member, colleague or peer, who is their predecessor for current issues or problems; and
g) not speak disrespectfully or judgmentally about another Member, colleague or peer as they may not be privy to all of the facts and circumstances which that other Member has taken into account.

A Member has the right to make decisions which differ from those of other Members, colleagues and peers, so long as the decision is not illegal or unethical. A Member should recognize that other Members may approach a matter differently and this does not necessarily constitute a breach of the Code. Nevertheless, if a Member has concerns about a potential breach, they shall take the necessary steps to alleviate any concerns.

Principle No. 12 - A Member shall safeguard and uphold the reputation of the Profession and the Association.

Professional Commentary

Acting as a reasonable Professional, a Member must be aware of potential hazards that could be created by their decisions and actions. The Member has a responsibility to report unethical practices, unskilled practices, or unprofessional conduct of colleagues and peers so it may be dealt with through the disciplinary process.
A Member who ignores unprofessional practices, either for expediency or sympathy, may directly or indirectly endanger the public, which is contrary to a Member’s responsibility to the Profession and Association.

A Member who intentionally refrains from reporting substantive breaches of the Code of Ethics on the part of another Member is engaged in unprofessional conduct.