

THE HAMLET OF GJOA HAVEN, NUNAVUT

BY-LAW No. 223

COUNCILOR CODE OF CONDUCT BY-LAW

A By-law of the Municipal Corporation of the Hamlet of Gjoa Haven in Nunavut in relation to the conduct of Members of the Gjoa Haven Hamlet Council.

WHEREAS the establishment of a Code of Conduct for Members of Gjoa Haven Council is consistent with the principles of transparent and accountable government;

WHEREAS the elected officials of the Hamlet of Gjoa Haven recognize their obligation to serve their constituents in a conscientious and diligent manner recognizing that as leaders of the community, they are held to a higher standard of behavior and conduct;

WHEREAS ethics and integrity are at the core of public confidence in government and in the political process, and elected officials are expected to perform their duties in office and arrange their private affairs in a manner that promotes public confidence, avoids the improper use of influence of their office and conflicts of interests, both apparent and real and the need to uphold both the letter and the spirit of the law including policies adopted by the Hamlet Council.;

WHEREAS a Code of Conduct is intended to ensure that Council Members share a common basis and understanding for acceptable conduct extending beyond the legislative provisions governing the conduct of Members of Council as set out in the *City, Towns and Villages Act*, R.S.N.W.T., 1998, c. C-8 and Council's Procedure By-law;

Now therefore the Council adopts certain rules in the form of this Council Code of Conduct that further underscore the requirement that elected officials be independent, impartial, and duly responsible in serving their constituents.

NOW, THEREFORE, THE MAYOR AND COUNCIL OF THE HAMLET OF GJOA HAVEN hereby enact as follows:

A. CODE OF CONDUCT

1. The Code of Conduct is intended to assist the Council in providing for the good government of the Hamlet and to help ensure that the Members of Council share a common basis for acceptable conduct. The Code of Conduct is not intended to replace personal ethics.
2. The Code of Conduct:
 - (a) is designed to provide a reference guide and a supplement to the legislative parameters within which the Members of Council must operate;
 - (b) serves to enhance public confidence that the Hamlet elected representatives operate from a base of integrity, transparency, justice and courtesy;

- (c) is enforced by the Mayor or Council as the case may be.
3. The Gjoa Haven community is entitled to expect that:
- (a) Councilors represent the entire community and contribute to Council's decisions and policy making;
 - (b) the business of the Council is conducted with efficiency, impartiality and integrity;
 - (c) Councilors obey the spirit and letter of the law and, in particular, the provisions of all relevant statutes, regulations, local laws and instruments;
 - (d) Councilors shall not act as if she/he were above the law;
 - (e) the community's interests shall always be given absolute priority over the private interests of an individual Councilor;
 - (f) Council and Councilors shall act in a respectful and civil manner in relation to delegations which present before Council;
 - (g) Councilors are in good standing with the Hamlet during their term of office, including not having any outstanding Community property and water taxes, business licenses, ambulance billing or by-law fines.
4. Good governance and leadership of Council requires many efficient processes and tools to assist the roles of representation, advocacy, decision-making, performance monitoring and teamwork. This Code of Conduct is a means of promoting a common understanding amongst Councilors regarding the expectations of conduct when representing the Council and in their dealings with the community, Hamlet staff and one another.
5. Some of the other processes that complement the Code of Conduct include:
- (a) strategic planning
 - (b) financial management and budgeting
 - (c) service planning
 - (d) communication and public relations strategy
 - (e) meeting and decision making framework
 - (f) attending all Council meetings and respective committees and advising Administration when unable to do so and reading all the material provided to each Councilor by administration and others in preparation of these meetings.

B. ROLE OF COUNCILORS

1. The Council is a body corporate which is the custodian of the assets of the Hamlet. A Councilor, being a member of the Council, is part of the leadership team in which the community has placed its trust to make decisions on its behalf. The community is therefore entitled to expect high standards of conduct from its elected representatives.
2. Each Councilor agrees to abide by the following principles of Councilors working collaboratively together by:
 - (a) respecting each other's right to hold different views and debate strongly on matters of difference while being united in representing Council decisions;
 - (b) respecting the right of each Councilor to speak and represent their views on the needs of citizens;
 - (c) always speaking well of each other and Council in public;
 - (d) demonstrating total commitment to consult with other Councilors, within the decision making framework and with no surprises;
 - (e) respecting the diverse nature of Council and the citizens of Pond Inlet;
 - (f) supporting and having regard for the role of local government as an important sphere of government within Canada;
 - (g) always being punctual to Council meetings and civic events;
 - (h) always behaving with the appropriate level of decorum at Council meetings and in public;
 - (i) committing to a consultative approach to solving problems, developing effective decisions and communicating outcomes that build teamwork and cooperation; and
 - (j) demonstrating leadership by focusing on issues and refraining from personalizing matters particularly in relation to making personal remarks regarding other Councilors, citizens or Hamlet staff.

C. COMMUNITY REPRESENTATION AND EXPECTATION

1. Councilor Behavior

In performing their role as Councilors, the community of Gjoa Haven expects that Councilors shall comply with all laws and shall be aware of their responsibility to comply with this Code of Conduct. In performing the role of a Councilor, a person shall:

- (i) act honestly;

- (ii) exercise reasonable care and diligence; and
 - (iii) act in accordance with the law.
- (b) A person who is, or has been, a Councilor shall not:
 - (i) make improper use of their position or, of information acquired because of their position;
 - (ii) gain, or attempt to gain, directly or indirectly, an advantage for themselves or for any other person;
 - (iii) cause, or attempt to cause, detriment to the Council;
 - (iv) represent that they may say or do anything by virtue of having won the election or having been elected to represent her/his constituents.
- (c) Additionally, Councilors shall:
 - (i) always be mindful of their responsibility to serve the best interests of the entire Community;
 - (ii) be consistent in their decision making but treating all matters on individual merits;
 - (iii) review and read all materials and research from Hamlet staff prior to a meeting of the council;
 - (iv) attend all Council meetings and participate in the decision making process;
 - (v) focus on making informed and reasonable decisions in an open and transparent way and in the best interests of the community;
 - (vi) be as informed as possible about the processes and strategic functions of the Council;
 - (vii) avoid situations that might create a conflict between their public and private roles;
 - (viii) act in a reasonable and fair way and in a manner, which is not discriminatory; and
 - (ix) treat all members of the community honestly and fairly and in a way that does not cause offence or embarrassment to individuals or groups.

2. Communications

As a representative of the community, Councilors need to be not only responsive to community views, but to properly communicate the attitudes and decisions of the Council. There may be times when a Councilor, as an individual, disagrees with a final decision of the Council and wants the community to know that. Obviously Councilors are entitled to present their own views, but in doing so, Councilors should acknowledge that:

- (i) as a member of the Council there is respect for the decision making processes of the Council which are based on a decision of the majority of the Council;
- (ii) the Mayor, together with the CAO or designate of the CAO, are the designated persons authorized to speak to the media and others on behalf of the Council after a decision has been made on a Council matter;
- (iii) information of a confidential nature shall not be communicated;
- (iv) information relating to decisions of the Council on approvals, permits and so on should only be communicated in an official capacity by a designated officer of the Council;
- (v) information concerning adopted policies, procedures and decisions of the Council shall be conveyed accurately; and

They are not above the law and do not have *carte blanche* to conduct themselves in any way they please. Councilors shall not demonstrate an attitude that because they are elected they may “do as they please.”

By way of their office, Councilors acquire confidential information from a variety of different sources including confidential personal information related to constituents who have contacted their office.

Confidential information includes information in the possession of, or received in confidence by the Hamlet, that the Hamlet is either prohibited from disclosing, or is required to refuse to disclose under the applicable privacy legislation. Councilors shall not use information that is obtained in his or her capacity as a Counselor and that is not available to the general public to further or seek to further the member’s private interest or improperly to further or seek to further another person’s private interest. Councilors shall not:

Where a matter has been discussed *in camera*, and where the matter remains confidential, disclose the content of the matter or the substance of the deliberations of the *in camera* meeting; and

- (vi) Disclose or release by any means to any member of the public, any confidential information acquired by virtue of their office, in either oral or written form, except when required by law or authorized by Council to do so.

3. Benefits, Gifts and Acceptance of Event Tickets

Benefits

The role of a Councilor at the Hamlet is a part-time one. Councilors incur expenses in performing their duties and the *Cities, Towns and Villages Act* and the Hamlet By-law(s) recognize this by providing for allowances and for out of pocket expenses incurred while acting on behalf of the Council to be reimbursed.

- (a) Councilors shall:

Only claim for expenses incurred while acting as a Councilor on behalf of the Council in the manner prescribed by policy and/or administrative procedure;

- (i) Use Council facilities and equipment economically, efficiently and in accordance with Hamlet by-laws, procedures and practice;

Except in accordance with any Council by-law, policy, administrative procedures/policy, not use Council facilities, equipment and resources for personal benefit or for the benefit of any other person or organization;

- (ii) Ensure that Council facilities and equipment are kept separate from similar resources that may be used in a Councilor's private business activities;

Gifts

Councilors are expected to represent the public and the interests of Gjoa Haven and to do so with both impartiality and objectivity. The acceptance of a gift, benefit or hospitality can imply favoritism, bias or influence on the part of the Councilor. At times, the acceptance of a gift, benefit or hospitality occurs as part of the social protocol or community events linked to the duties of an elected official and their role in representing the municipality.

Councilors shall not accept gifts that would, to a reasonable member of the public, appear to be in gratitude for influence, to induce influence, or otherwise to go beyond the necessary and appropriate public functions involved. For these purposes, a gift, benefit or hospitality provided with the Councilor's knowledge to a Councilor's spouse, child, or parent, or to a Councilor's staff that is connected directly or indirectly to the performance of the Member's duties is deemed to be a gift to that Councilor.

To enhance transparency and accountability with respect to gifts, benefits and hospitality, Councilor shall file a quarterly disclosure statement that will be added to a public Gifts Registry. Councilors are required to disclose all gifts, benefits, hospitality and sponsored travel received which individually exceed \$200 from one source in a calendar year.

The disclosure statement must indicate:

- (iii) the nature of the gift, benefit or hospitality;
- (iv) its source and date of receipt;
- (v) the circumstances under which it was given or received;
- (vi) its estimated value;
- (vii) what the recipient intends to do with the gift; and
- (viii) whether the gift will at any point will be left with the Hamlet.

In the case of requirement (v) of the disclosure statement, those gifts received by each Councilor which have significance or historical value for the Community of Gjoa Haven shall be left with the Hamlet when the Councilor ceases to hold office.

Acceptance of Event Tickets

The Hamlet of Gjoa Haven is home to many types of festivals, community, cultural and sports events. The Community is also the host site for many territorial, northern, federal, and international events. Consequently, Councilors may be expected to attend or are frequently encouraged to attend by being provided with tickets or invitations.

As with gifts, the acceptance of this kind of benefit can appear to be a means of undue influence. While the choice of venues and events they attend is entirely at the discretion of Councilors, when accepting tickets as a gift or benefit, each Councilor shall observe the following limits:

- (ix) To further enhance transparency all tickets of a value exceeding \$75 shall be disclosed quarterly in the Gifts Registry, along with the disposition thereof (e.g. who attended with the Councilor, or if donated, to whom or what organization);
- (x) A limit of two tickets for up to two events from one source in a calendar year is permitted and requires disclosure;
- (xi) Accepting any tickets for subsequent events from the same source is prohibited.

Examination of Receipt of Gifts, Benefits or Event Tickets

- (b) On receiving a disclosure statement, the Hamlet's Director of Finance, shall examine it to ascertain whether the receipt of the gift or benefit might, in his or her opinion, create a conflict between a private interest and the public duty of the Councilor or whether the gift has significance or historical value for the Hamlet of Gjoa Haven.

- (c) In the event that the Hamlet's Director of Finance makes that preliminary determination, he or she shall advise the CAO and the Mayor, who shall call upon the Councilor to justify receipt of the gift or benefit.
- (d) Should the Director of Finance determine, after consultation with the CAO and the Mayor, that receipt was inappropriate, the Mayor may direct the Councilor to return the gift or remit the value of any gift or benefit already consumed to the Hamlet.
- (e) The following are recognized as exceptions and do not require registration:
1. Compensation authorized by law;
 2. Such benefits, gifts or special events tickets that normally accompany the responsibilities of office and are received as an incident of protocol or social obligation;
 3. A political contribution otherwise reported by law, in the case of members running for office;
 4. Services provided without compensation by persons volunteering their time;
 5. A suitable memento of a function honoring the Member of Council;
 6. Food, lodging, transportation and entertainment provided by local, territorial, national or by a foreign government within a foreign country, or by a conference, seminar or event organizer where the member is either speaking or attending in an official capacity;
 7. Food and beverages consumed at banquets, receptions or similar events, if:
 - attendance serves a legitimate business purpose;
 - the person extending the invitation or a representative of the organization is in attendance; and
 - the value is reasonable and the invitations infrequent;
 8. Communication to the offices of a member, including subscriptions to newspapers and periodicals;
 9. Sponsorships and donations for community events organized or run by a Member or a third party on behalf of a member, subject to the limitations set by Council;
 10. Gifts of a nominal value (e.g. baseball cap, t-shirt, flash drive, book, etc.);
 11. Any other gift or personal benefit, if the Director of Finance, after consultation with the CAO and the Mayor is of the opinion it is unlikely that receipt of the gift or

benefit gives rise to a reasonable presumption that the gift or benefit was given in order to influence the Councilor in the performance of his or her duties.

12. The Gifts Registry will be updated regularly and posted on the Hamlet's website for public viewing.

4. Use of Information

- (a) There is an expectation that Councilors shall make reasonable and informed decisions on matters before the Council. In their decision making process Councilors are also privy to information that may at times be confidential or controversial.
- (b) Councilors shall be:
 - (i) aware of and observe all rules, procedures and practices relating to the treatment of confidential information;

aware that they are only entitled to access information in accordance with the Hamlet's access policies and practices which are relevant to a matter before the Council;
 - (ii) mindful that except on matters before the Council, they enjoy the same access rights to information as any other member of the community;
 - (iii) prudent in the use of information that they acquire as Councilors;
 - (iv) observing of any specific policies, practices or by-laws regarding the use of Council information;
 - (v) careful not to use information in a way which can cause detriment to others;
 - (vi) careful not to use confidential information of Council to gain advantage for themselves or for any other person or body in ways which are inconsistent with their obligation to act impartially nor shall they use such information improperly to cause harm or detriment to any person, body, or the Council.

D. LEADERSHIP AND MEETINGS

1. Role of the Mayor

The role, responsibilities and performance of the Mayor has a critical bearing on the image of Council, good functioning of the Council Chamber, and the cooperative relationships between Councilors and others.

- (a) It is necessary that the Mayor:

- (i) is seen as the first citizen of the Community and takes precedence at all local civic functions;

shall, together with the CAO or designate of the CAO, be the official spokesperson for the Council and each person must respect each other's role in dealing with the media and other external bodies; and

- (ii) act with consistency and impartiality in the Chamber during Council proceedings.

2. Council Meetings

- (a) Meetings are the principle means by which Councilors represent the citizens of the whole Council. Meetings must focus on the business of Council and provide an environment for transparent and healthy debate on matters requiring decision-making.
- (b) The Mayor shall chair meetings of the Council at which he or she is present in accordance with Council's Procedures By-law and in doing so shall:
 - (i) maintain control by holding or passing the Chair as outlined in Council's Procedures By-law;
 - (ii) be impartial;
 - (iii) preserve order and encourage Councilors who stray from the topic to stay focused on the issue being debated;
 - (iv) ensure that the business is conducted in a proper manner;
 - (v) direct that a Councilor or the Council strictly adhere to this Code of Conduct and that they maintain civility at Council meetings to ensure Councilors are able to carry out their role in the best interests of the Community;
 - (vi) be conscious of the needs of each Councilor and shall facilitate their entry into discussions and allow fair debate and participation among Councilors.
- (c) Councilors shall:
 - (i) be committed to paying respect to the Chair at meetings and to all Hamlet staff;
 - (ii) respect every other Councilor for his or her views on issues and such views should be considered on merit in accordance with Council's Procedures By-law;
 - (iii) respect the right of other Councilors, City staff and the public to have a fair opportunity to speak when holding the floor;
 - (iv) Councilors shall not:

- i. engage in debate with delegate speakers but rather, seek clarification of the delegate's position on an issue;
- ii. be criticized for their association with any particular community group, political party, or community contacts unless the same is illegal or materially bring the Hamlet in disrepute.

3. Meetings and Appointments to Other Bodies

- (a) As part of their representative role, Councilors are often appointed by Council resolution to represent the Council on external organizations.
- (b) It is important that Councilors:
 - (i) clearly understand the basis of their appointment;
 - (ii) maintain a positive image of the Council;
 - (iii) represent the Council policy position (unless required to do otherwise by virtue of their terms of appointment); and
 - (iv) provide regular reports to the Council through the Committee process on the activities of the organization (unless required to do otherwise by virtue of their terms of appointment).

E. ORGANIZATIONAL RELATIONSHIPS

1. Relationships with Staff

- (a) An effective Councilor shall work as part of the Council team, with the CAO, Directors and other Hamlet staff. This teamwork shall only occur if Councilors and staff have a mutual respect and cooperate with each other to achieve the Council's corporate goals and implement the Council's strategies. To achieve this, Councilors shall:
 - (i) accept that their role is one of leadership, not a management or administrative role;
 - (ii) act in accordance with the law. In this regard no Councilor shall represent that she/he may do whatever she/he pleases by virtue of their election as a Hamlet Councilor;
 - (iii) acknowledge that the CAO is responsible and accountable for Hamlet staff;
 - (iv) acknowledge that individual Councilors have no capacity to individually direct members of staff to carry out particular functions;
 - (v) refrain from using their position to improperly influence members of staff in their duties or functions or to gain an advantage for themselves or others; and

refrain from publicly criticizing staff in a way that casts aspersions on their professional competence and credibility.

2. Councilors and Senior Management (CAO and Directors)

- (a) Council recognizes that the core role of the Councilor is focused on policy decision making in the interests of the overall community of Gjoa Haven and ensuring that policies are implemented. The CAO and staff which reports to the CAO focus on implementing policy and providing professional advice to guide Council in its decision-making.
- (b) It should be expected that:
 - (i) the CAO and designates take the initiative and responsibility for developing issues to a stage where information can be placed before the Council for decision;
 - (ii) Council recognize the importance of the complementary roles of Councilors and Staff;
 - (iii) Councilors respect the cost of Council's human resources and shall not use those resources improperly and in any event, shall only use those resources after consultation with and approval from Council;
 - (iv) in the interests of maintaining a high level of teamwork and encouraging good morale, there shall be no personal criticism of staff in public by Councilors. If Councilors or staff wish to express any such criticism then the matter should be raised in a non-public forum; and
 - (v) Councilors are provided with information concerning matters under consideration by Council and deemed necessary for them to properly perform their duties and meet their responsibilities as Councilors.

F. CONFLICT OF INTEREST PROCEDURES

- 1. Council is committed to making all decisions impartially and in the best interests of the whole community. It therefore recognizes the importance of fully observing the requirements of the *Cities, Towns and Villages Act* and all relevant Hamlet By-laws in regard to the disclosure of interests and conflicts of interest.
- 2. Councilors shall comply with all the provisions of the *Act* and all relevant Hamlet By-laws in regard to interests and conflict of interests. In complying with the provisions of the *Act* and Hamlet By-laws, Councilors shall adhere to the following requirements:
- 3. All declarations and notifications of interest or conflict of interest shall be made by Councilors in writing by using the "Statement of Disclosure of Interest Form" (Attachment A). These forms shall be provided to Councilors and made available at every meeting of Council. Completed forms are to be handed to the CAO or other nominated officer for recording.

- (a) If the Councilor considers that they have, or might reasonably be perceived to have, an interest in a matter before Council or a Committee of Council, they shall submit a Statement of Disclosure of Interest Form prior to the start of the meeting. The Mayor or Chairperson shall read out the Statements of Interest at the start of the meeting. The Mayor or Chairperson shall note the Interest again immediately before the matter is considered. The interest must be declared by the relevant Councilor on every occasion that the matter is considered by Council or Committee.
 - (b) Councilors shall give early consideration to each matter to be considered by Council, or Committee of which the Councilor is a member, to ascertain if he or she has an interest or conflict of interest.
 - (c) If a Councilor does not intend to be present at a Council or Committee meeting in which he or she considers that they have any interest or conflict of interest, he or she shall disclose the nature of the interest by submitting a completed Statement of Disclosure of Interest Form to the CAO at any time before the meeting is held:
 - (i) where the interest is non-pecuniary and not a conflict of interest the Councilor may vote on the matter;
 - (ii) if a Councilor has an interest in a matter to be considered by Council or Committee that is a pecuniary interest, they shall also declare that they have a conflict of interest;
 - (iii) if a Councilor has an interest in a matter to be considered by Council or a Committee that is non-pecuniary, and the Councilor considers that their personal interest may be in conflict with their public duty to act impartially and in the interest of the whole community, the Councilor shall declare a conflict of interest;
 - (iv) if a Councilor has a conflict of interest in a matter they shall comply with the requirements of the Hamlet Act and ensure they do not move or second the motion and that they leave the room in which the meeting is being held during any vote on the matter and not vote on the matter;
 - (v) if a Councilor has declared a conflict of interest on a matter, the Councilor shall restrict his or her comments to responses to questions in a factual manner that may assist the decision making process;
 - (vi) Councilors recognize that while they may seek advice about a possible conflict of interest, the legal onus rests entirely with each Councilor. If a Councilor cannot confidently say that he or she does not have a conflict of interest, the Councilor should err on the side of caution and declare a conflict of interest and comply with the relevant requirements.
4. Notwithstanding the procedure set out above at section F(2), Councilors shall also complete the Interest Disclosure Form, which is attached at Attachment C, following each general Hamlet election, and annually in January thereafter and any other time when a Councilor experiences a change in their personal interest.

G. RESOLVING DISPUTES

1. Respecting differences

- (a) Council is comprised of a group of individuals who bring to Council their own unique skills, talents, personalities, backgrounds and divergent views. All Councilors shall be understanding and accepting of the differences between Councilors and recognize that this diversity enriches Council and is reflected in the policies, strategies and decisions that are made in the best interests of the entire Community.
- (b) Councilors shall be mindful that having and expressing differing and sometimes opposing viewpoints is a normal function of the process of democratic government and is just as much a part of local government as it is of the other levels of Canadian government. Sharing and expressing these different views leads to informed and well considered debate. All Councilors have the right to influence, through this debate, the decisions made by Council.
- (c) Therefore, having differing views, politics or attitudes from other Councilors is not considered a conflict or a dispute and does not require resolution. Where conflict does emerge is when the differences become personal or the behavior of Councilors towards each other is of a nature that threatens the effective operation of Council's decision making processes.

2. Initial Process for Resolving Disputes

- (i) If a dispute arises between two individual Councilors, between one Councilor and a group of Councilors or between two or more different groups of Councilors, the following Councilors' dispute resolution procedure shall apply regardless of the dynamics and numbers involved:
- (ii) before commencing any formal dispute resolution process, the Councilors who are party to any disagreement shall endeavor to resolve their differences in a courteous and respectful manner, recognizing that they have been elected to represent the best interests of the community as a whole;
- (iii) if, however, there is a dispute resulting from an interpersonal conflict between Councilors that cannot be resolved and it is unduly affecting the operation of

Council, the Mayor shall attempt to facilitate a resolution. The Mayor may call upon the CAO for advice and guidance at this point in the process;

- (iv) Either party involved in the dispute or some other Councilor may refer the dispute to the Mayor by filling out and submitting a "Notice of Complaint" form (Attachment B), in confidence, to the Mayor. The Mayor shall investigate whether a dispute exists and requires resolution. The Mayor may call the parties involved to meet to resolve the dispute. These initial meetings may include the participation of another mutually agreed person/s;
- (v) If one party to the dispute does not acknowledge there is a dispute and is not willing to cooperate in discussions to resolve the dispute, the dispute resolution process is suspended at this point. Council however, may at an *in-camera* Council meeting discuss that a dispute does exist between the parties and may request of the CAO that mediation/conciliation (or another form of dispute resolution) be commenced;
- (vi) if both or one of the parties to the dispute believes that the dispute has not been resolved following initial discussions to attempt to resolve the dispute, the parties may jointly ask the Mayor to request the CAO to prepare a confidential Council report to arrange Hamlet Counsel and/or a professional mediator or conciliator to be engaged. This request is to be made to the CAO during the closed section of a Council meeting and only after the initial dispute resolution process has been attempted. An estimate of the full cost to Council of conducting the mediation process is to be provided at this meeting; and
- (vii) Councilors agree through the ratification of this Code that it is compulsory for all parties to the dispute to attend mediation/conciliation where this has been requested.

3. Mediation/Conciliation

- (a) If a mediator/conciliator is appointed, all Councilors shall cooperate with the dispute resolution process and provide reasonable assistance to the mediator/conciliator when requested.
- (b) Following mediation, a report is to be prepared for the CAO by the mediator/conciliator which is to include the recommendations and actions to be taken as a consequence of the mediation. This report is to be presented during an *in-camera* Council meeting.
- (c) If following mediation/conciliation (or another form of dispute resolution) all parties agree that the dispute has been resolved and agreement is reached on adherence to the recommended actions, the matter is closed. If, however, it has not been resolved to the satisfaction of all parties, the parties involved shall be required, as a minimum, to adhere to this Code of Conduct and Council's Procedures By-law. A Councilor may request that the Mayor strictly adhere to this Code of Conduct and/or Council's Procedures By-law to maintain civility at Council meetings to ensure that Councilors are able to carry out their role in the best interests of the Community.
- (d) The dispute resolution process between the same Councilors/parties can only be re-commenced through a decision of Council.

4. Dispute between Mayor and other Councilor(s)

- (a) If the unresolvable dispute described in the “Notice of Complaint” is between the Mayor and another Councilor(s), two other Councilors may after consultation with the CAO recommend to Council that the dispute be referred to the CAO to retain Hamlet Counsel and/or an external mediator or conciliator. Such discussion shall need to be considered during a closed section of a Council meeting. All other aspects of the dispute resolution procedure apply.

H. ENFORCEMENT OF CODE OF CONDUCT

1. Councilors shall be cognizant of their responsibilities under this Code of Conduct and are expected to adhere to the provisions of the Code of Conduct.
2. The Mayor may first attempt to address concerns in the form of an informal conflict resolution process as appropriate.
3. Disciplinary actions for violations of this Code of Conduct are at the full discretion of the Council, and may include (but are not limited to) any or a combination of the following:
 - a) A reprimand;
 - b) Written or verbal public apology to the person adversely affected by a breach of this Code of Conduct;
 - c) Educational training on ethical and respectful conduct;
 - d) Counselling of a Councilor;
 - e) Return of property or reimbursement of its value or of monies spent;
 - f) Removal or suspension from Committee membership, from a position of Deputy Mayor or Committee Chairperson;
 - g) Public censure of a Councilor for misbehavior or a breach of this Code of Conduct;
 - h) Restriction of access to City Hall or other City facility;
 - i) Informal and/or formal communication with the Government of Nunavut as to Councilor conduct pursuant to this Code of Conduct;

- j) Such other recommendations as are deemed appropriate in the circumstances.
4. The Mayor has the final authority to recommend any of the sanctions above or other remedial action at his or her discretion. Any action taken by Council should include a time frame and what remedial action is expected.

This by-law shall come into effect on the date of its Third Reading.

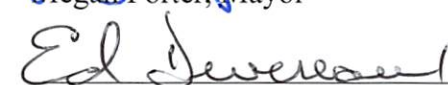
READ a First Time this 21 day of April, 2020.


Megan Porter, Mayor


Ed Devereaux, CAO

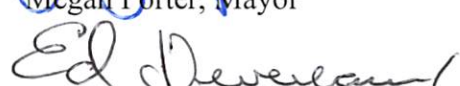
READ a Second Time this 21 day of April, 2020.


Megan Porter, Mayor


Ed Devereaux, CAO

READ a Third and Final Time this 5 day of May, 2020.


Megan Porter, Mayor


Ed Devereaux, CAO

ATTACHMENT A to the COUNCILOR CODE OF CONDUCT

STATEMENT OF DISCLOSURE OF INTEREST

Name of Councilor: _____

Date of Disclosure: _____

Council Meeting or
Committee Name: _____

Meeting Date: _____

Agenda Item: _____

Agenda Item Description: _____

Description of type and nature of Interest (i.e., Interest or Conflict of Interest)

Interest: (a) Personal

 (b) Pecuniary

Conflict of Interest:

Signature: _____ Date: _____

Councilor: _____

Office Use Only:

Recorded by _____ at: _____

Initials: _____ Date: _____

ATTACHMENT B to the COUNCILOR CODE OF CONDUCT

CONFIDENTIAL
NOTICE OF COMPLAINT

Date: _____

This Complaint is made against: (Councilor or Mayor) _____

This Complaint is made by: (Councilor or Mayor) _____

This Complaint is made to: (Mayor or CAO) _____

The nature of the Complaint is:

The preferred resolution to the Complaint is:

Signed: _____

Date: _____

(Mayor or Councilor)

ATTACHMENT C to the COUNCILOR CODE OF CONDUCT

INTEREST DISCLOSURE FORM

Name of Councilor: _____

This Statement discloses information as of: _____ ,

For: _____ Mayor _____ Councilor _____ Member at Large

_____ Spouse Name: _____

_____ Child Resident under same roof Name: _____

I am the Sole Proprietor or Partner in the following (include company name, nature of business, and partners if appropriate): _____

I own an interest in the following limited companies, not publicly traded (include company name, nature of business, and extent of ownership and list of company directors):

I receive remuneration from the following companies which operate in the Community of Pond Inlet (include company name, nature of business, and position held):

I hold the following corporate directorships:

I am a member of the following Board of Directors, Commissions or other Public Bodies:

I hereby declare that the foregoing constitutes complete and accurate disclosure by me, pursuant to Council Procedures By-law No. 169 and Code of Conduct By-law No. 223.

Date: _____, _____

Councilor/Member at Large: _____

Spouse/Child Resident Under Same Roof (if appropriate): _____