



## COUNCIL REPORT

Report Date: September 2, 2025  
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VanRIMS No.: 08-2000-20  
Meeting Date: September 16, 2025  
[Submit comments to Council](#)

TO: Vancouver City Council  
FROM: Chief Human Resources Officer  
SUBJECT: Revised Employee Code of Conduct

### Recommendations

- A. THAT Council approve the Code of Conduct policy and associated procedure (attached as Appendices A and B) to take effect on September 17, 2025.
- B. THAT Council authorize the City Manager and Chief Human Resources Officer to incorporate further administrative updates or revisions to the policy and procedure as and when appropriate. Administrative updates or revisions may include but are not limited to those required as a result of updates to applicable legislation; the need to add or modify a definition or provide clarification to a clause; changes to roles or responsibilities of a City function and subsequent process or procedure impacts.

### Purpose and Executive Summary

This report is being brought forward to request Council approval of the revised Code of Conduct Policy and Procedure (Appendices A and B). Employment in the public sector carries with it significant obligations of trust and responsibility. This policy is meant to promote high ethical standards and behaviour and to provide employees with a high-level overview of their roles and responsibilities as representatives of the City of Vancouver.

The Code of Conduct policy and procedure sets expectations for employees. These revisions intend to increase clarity of expectations, reflect today's work environment, and outline processes for disclosure, reporting and investigation. Use of the policy and procedure format is aligned with the City's policy framework.

The revised Code of Conduct policy and accompanying procedure is applicable to all City employees, including those employed in Parks and Recreation, Vancouver Fire & Rescue Services, Political Staff, and those employed in the Office of the Auditor General. The employee policy was last updated in 2021 to remove reference to Council officials and advisory body

members. This was necessary as the Code of Conduct By-law governing elected officials and advisory body members came into effect on February 9, 2021.

### **Council Authority/Previous Decisions**

- The Code of Conduct policy (formerly AE-028-01) was first approved on May 15, 2008 and then amended on March 3, 2011.
- On February 9, 2021 in response to the introduction of the Code of Conduct By-law, the employee Code of Conduct Policy was repealed and replaced with the current, which removed reference to council officials and advisory body members.

### **City Manager's Comments**

The City Manager concurs with the foregoing recommendations.

### **Context and Background**

As noted, the policy was last updated in 2021. The revised policy and procedure reflect information obtained through jurisdictional scans, and engagement with key internal stakeholders including the City Clerk, the Senior Director Indigenous Relations, the Chief Equity Officer, the Director Access to Information and Privacy, operational leaders, senior leadership, Legal, Engagement and Communications staff, Human Resources staff, and the Office of the Auditor General. The policy and procedure were also shared with union leaders who were invited to provide feedback.

Key highlights of the policy and procedure revisions include the following:

- Expectations of employees working in the public service now in stand-alone section Public Service Obligations
- Political Activity section now addresses Community Advocacy
- Expanded definition section, including definitions of Political Staff, Gift, and Community Advocacy
- Refined Conflict of Interest section highlighting the various types of conflicts
- Conflict of Interest, section 5, includes a clause about expectations with respect to hiring and other employment related activities of those in a personal relationship. Incorporating this specific clause in the policy will allow the City Manager to rescind the stand-alone corporate policy *Hiring and Employment of Relatives and others in Personal Relationships*
- Gifts: employees may accept a gift received as a matter of cultural protocol in an Indigenous event or ceremony (new); increased gift threshold amount (from \$50 to \$100); clarity on what is a gift (i.e. tickets) and when a gift can be accepted; and expectations around documentation where acceptance is unclear

### **Discussion**

The refreshed Code of Conduct Policy and Procedure will increase clarity of expectations, reflect today's work environment, and clearly outline processes for disclosure, reporting and investigation.

All employees, both current and those new to the City, will be made aware of the Code of Conduct expectations through a robust communication and education strategy. Employees and

leaders will have clarity on expectations of behavior, and will understand their responsibilities, including procedures or processes. The communication roll-out to staff will include messaging to leaders and all employees through a range of channels and will include communications that are targeted for off-network (operations) staff. An educational course will be launched through the Learning Management System. A crew talk and policy summary designed for delivery to off-network staff will be the responsibility of leadership. All employees will be expected to review and have awareness of the new policy and procedure through the appropriate channels. Acknowledgement of that review will be tracked in our Learning Management System.

**Financial Implications**

There are no financial implications associated with this report's recommendations.

**Legal Implications**

There are no legal implications associated with this report's recommendations.

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## Appendix A: Code of Conduct Policy

<b>POLICY TITLE</b>	Code of Conduct
<b>CATEGORY</b>	Council
<b>POLICY NUMBER</b>	COUN-012 (formerly AE-028-01)
<b>POLICY OWNER</b>	Human Resources
<b>ACCESS</b>	Public

### PURPOSE

Employment in the public sector carries with it significant obligations of trust and responsibility. This policy is meant to promote high ethical standards and behaviour, and to provide Employees with a high-level overview of their roles and responsibilities as representatives of the City of Vancouver. It is not intended to provide specifics for every circumstance.

This policy does not address matters that are dealt with through existing procedures, established through collective agreements, legislation, or other City Employee policies.

### SCOPE

This policy applies to all City Employees.

### DEFINITIONS

**Community Advocacy:** Actively promoting or defending a cause or issue that affects a particular community or group. This can include but is not limited to activism, social justice initiatives, and lobbying.

**Confidential Information:** Information that is not publicly available and is treated as confidential by the City, including Personal Information.

**City Leadership Team:** The City Manager, Deputy City Manager(s) and the heads of the City's major services groups, as identified by the City Manager.

**Employee:** Anyone employed by the City, including full-time, part-time, temporary, auxiliary or casual employees, unionized or exempt, and Political Staff.

**Gift:** Gift includes but is not limited to any personal benefit, favour, consumer goods, the use of property or facilities, services, membership, meals, hospitality, and invitations or tickets to attend an event.

**Political Activity:** Activity in connection with municipal, school board, provincial, and federal politics and elections, including but not limited to:

- supporting or opposing a political party or candidate, including but not limited to before or during an election period, and

- seeking nomination or being a candidate in an election.

Political Activity does not include the regular duties of Political Staff performed in accordance with the terms of their individual employment contracts.

**Political Staff:** Employees who are selected by members of City Council and exclusively perform services, including partisan and constituency related services, for the members of City Council. Political Staff do not include Employees who are members of any union or those who exclusively provide purely administrative assistance to the members of City Council. Political Staff are subject to the entirety of this policy, except where expressly excluded.

**Personal Information:** Recorded information about an identifiable individual, except contact information as defined in the *Freedom of Information and Protection of Privacy Act*.

**Personal Relationships:** Personal Relationships include relationships with family (immediate or extended), friends, romantic or intimate relationships, or anyone with whom there is a close personal connection.

**Retaliation:** Any adverse action or threat of action directed at a person because they are or might be involved in a complaint under this policy. Retaliation also includes directing or counselling someone to commit a retaliatory act.

**Real Conflict of Interest:** Any conflict between an Employee's public duty and their private interests, where their private interests may or do influence the performance of their job duties, or where they use their position with the City for personal gain.

**Potential Conflict of Interest:** Where an Employee has private interests which could result in a real conflict should they become involved in discharging responsibilities in the future that could be influenced by their private interests.

**Perceived Conflict of Interest:** Where an Employee's private interests would appear to a reasonable person to conflict with their employment duties, even though there may not be a real conflict.

## POLICY STATEMENTS

### 1. Standards and Values

Employees should uphold these standards and values which are intended to inform, and provide a foundation for, the specific obligations set out in this policy. They are not intended as stand-alone behavioural expectations.

- 1.1. Fairness: consider all issues consistently and fairly, including all relevant facts, opinions and analysis of which an Employee should be reasonably aware.
- 1.2. Integrity: avoid improper use of influence and avoid conflicts of interest, including real, potential, and perceived conflicts.

- 1.3. Loyalty: act honestly and in good faith and place the interest and direction of the City ahead of private interests.
- 1.4. Respect: treat members of the public and one another respectfully.
- 1.5. Responsibility: respect and comply with applicable laws and City policies in performing employment duties and avoid conduct that undermines or has the potential to undermine public confidence in the City.
- 1.6. Transparency: conduct duties in an open and transparent manner, except where this conflicts with the protection of Confidential Information.

## **2. Public Service Obligations**

- 2.1. All Employees owe a duty of loyalty to the City as their employer. They must act honestly and in good faith and place the interests and direction of the City ahead of their own private interests.
- 2.2. All Employees are expected to exercise due care and responsibility in the use of public resources.
- 2.3. Excepting Political Staff, Employees must be politically impartial and unbiased in carrying out their duties, provide honest and informed advice to Council, and work to implement the decisions of City Council to the best of their ability. It is acknowledged that Political Staff are employed to assist members of Council in a political capacity.
- 2.4. Excepting Political Staff, Employees are to be equally helpful to all members of City Council and should avoid any preference or appearance of preference toward any particular member of Council.

## **3. Political Activity and Community Advocacy**

- 3.1. Employees other than Political Staff:
  - 3.1.1. Employees have a right to engage in Political Activity and Community Advocacy in their personal capacity. However, Political and Community Advocacy activities and opinions must be clearly separated from employment with the City, and must not impair, or be reasonably perceived as impairing, an Employee's ability to perform their employment duties in an unbiased and impartial manner.
  - 3.1.2. Employees must not engage in Political Activity or Community Advocacy while performing work for the City, during their City work hours, on City property, or using City resources. In addition, Employees must not:
    - a. use their title or position with the City in a way that would lead a member of the public to believe that the City is endorsing a candidate or political party;

- b. display messages, slogans, or symbols in any City workplace that support or oppose any candidate or political party, or that support any political, community or social advocacy or movement;
- c. use City land, facilities, equipment, vehicles, supplies, services, or resources while or for the purpose of engaging in Political Activity or Community Advocacy;
- d. engage in Political Activity or Community Advocacy while wearing a City uniform or anything else identifying them as an Employee;
- e. allow their personal alignments and opinions to influence their work for the City;
- f. use their position with the City to lend weight to the public expression of their personal opinions.

3.2. The City Manager, any Employee who is a member of the City Leadership Team, and the Auditor General, shall not engage in any Political Activity other than voting in an election.

### 3.3. All Employees, including Political Staff

Employees must comply with all requirements under sections 38 and 39 of the *Vancouver Charter* (as amended) when seeking nomination for, election to, or holding office, including but not limited to:

- a. providing written notice to the City;
- b. taking a leave of absence from their employment during the required period(s); and
- c. resigning from their employment if elected.

Employees must also comply with any other applicable legislation when seeking office at any level of any other municipal, provincial or federal government.

### 3.4. Political Staff

Political Staff must not perform any election or campaign-related work as part of their work for the City or use any City resources for election or campaign-related work, including facilities/property, equipment, or supplies.

## 4. Protection of Information

An Employee must:

- 4.1. not disclose or release any Confidential Information acquired by virtue of their employment, except as authorized by the City, or required by law;
- 4.2. not access or use Confidential Information with the intention to cause harm or detriment to the City, any member of City Council, or any other person or body;
- 4.3. protect Confidential Information from inadvertent disclosure;
- 4.4. use Confidential Information only for the purpose for which it is intended to be used;

- 4.5. take reasonable care to prevent the examination of Confidential Information by unauthorized individuals;
- 4.6. not take advantage of, or obtain private benefit from, Confidential Information acquired by virtue of their employment;
- 4.7. access and use City information only in the normal course of their duties and for the legitimate business purposes of the City;
- 4.8. retain and manage records and other information in accordance with the policies, procedures, standards, and guidelines established by the City;
- 4.9. comply with the *Freedom of Information and Protection of Privacy Act* when dealing with Personal Information and take all reasonable and necessary measures to ensure that Personal Information is protected; and
- 4.10. assist the City in good faith in responding to all requests for information made pursuant to the *Freedom of Information and Protection of Privacy Act*.

### 5. Conflict of Interest

A conflict of interest involves a real, potential or perceived conflict between an Employee's duties and their private interests. Conflicts of interest raise doubts about the integrity of the City's Employees and the impartiality of their decisions and actions. Disclosure of conflicts of interest are integral to ensuring that they are addressed appropriately.

- 5.1. Impartiality - Employees must act impartially in carrying out the business of the City.
- 5.2. Financial and Other Benefits – Employees must not act, or appear to act, in order to gain financial or other benefits for themselves, family, friends, business partners, or others with whom they have Personal Relationships.
- 5.3. Undue Influence - Employees must be free from undue influence. They must not knowingly place themselves in a position where they are under obligation to any person or organization seeking a benefit or preferential treatment from the City or the Employee.
- 5.4. Preferential Treatment - Employees must not expect or request preferential treatment because of their position at the City, for themselves, their family or for others with whom they have a Personal Relationship. They must also avoid any action that could lead members of the public to believe they are seeking preferential treatment for themselves or others.
- 5.5. Personal Relationships - Employees must not engage in activities that could result in any real, potential or perceived conflict of interest that may arise from the recruitment, selection, hiring, promotion, supervision or any other



employment-related action with respect to anyone with whom they have a personal relationship.

- 5.6. Outside Work - Employees must not engage in outside employment, contract work, volunteer work, or any business or undertaking which may conflict with or interfere with their duties to the City.
- 5.7. Use of City Assets - Employees must only use City owned land, facilities, equipment, vehicles, supplies, services, or other resources for the business of the City, except in accordance with written City policies permitting reasonable personal use.
- 5.8. Disclosure of all Conflicts of Interest - Employees must fully disclose any Real, Potential or Perceived Conflict of Interest no later than fifteen (15) days of the conflict arising. The accompanying procedure document provides direction on disclosure procedures for all Employees. If Employees are uncertain whether a Real, Potential or Perceived Conflict of Interest exists, they must seek guidance from the person to whom they would make a disclosure.

## **6 Appearances before Council**

- 6.1. An Employee may appear before or communicate with Council in their personal capacity on behalf of themselves or an organization, but they must provide at least 48 hours advance notice by email of their intention to do so to the Office of the City Clerk as well as to the City Manager (or their authorized designates).
- 6.2. An Employee must not appear before Council in their capacity as a City Employee on any matter that could give rise to a real, potential or perceived conflict of interest.

## **7. Gifts, Personal Benefits, and Entertainment**

- 7.1. An Employee must not accept, from any external individual, corporation or organization, any Gift that is connected directly or indirectly to their employment with the City and that could reasonably be expected to result in a Real, Potential or Perceived Conflict of Interest. This ensures that Employees do not use their status to further their private interests or put themselves in a position where they may be subject to outside influence. This policy does not apply to Gift giving between Employees or between the City and its Employees, except to the extent that such Gift giving otherwise engages the conflict of interest provisions in this policy.
- 7.2. Notwithstanding the above, the City recognizes that Employees are often required to attend events and participate in activities where complimentary hospitality is provided or Gift-giving is customary. Therefore, an Employee may accept a Gift that:
  - a) is received as an incident of the protocol or social obligations that normally accompany the Employee's employment responsibilities,

- b) has a value of no greater than \$100 (except for Gifts received as a matter of cultural protocol in an Indigenous event or ceremony where the Employee is representing the City in the event),
- c) creates no obligation for the Employee, and
- d) occurs infrequently.

If a Gift does not meet all of these criteria, then it must not be accepted, unless the Employee obtains approval from the City Manager (or authorized designate).

7.3. Examples of situations where an Employee may accept a Gift, where the Gift meets the above criteria in 7.2., include:

- a) An Employee attends an event, meeting, or conference and receives a modest Gift as a gesture of courtesy or goodwill. These Gifts are typically small tokens or modest hospitality that is customary and appropriate in the circumstances, such as a notebook or a pen.
- b) An Employee receives a Gift from a member of a cultural group which traditionally offers Gifts to express gratitude or to commemorate the Employee's participation.
- c) A Gift is provided to an Employee as a matter of gratitude or courtesy appropriate to the occasion, most usually where an Employee attends an event and has a role or where the attendance of the Employee is normally expected (such as charity fundraisers, opening ceremonies, etc.). These Gifts are typically of higher value reflecting the Employee's contribution or expected presence at the event, such as tickets to a gala or an event.
- d) A Gift is provided to an Employee where the Gift can be shared or appreciated by their co-workers at a City worksite (such as a box of chocolates, a modest food basket or floral display).

7.4. An Employee must not accept a Gift where:

- a) the Gift is any form of payment, including cash, gift cards, or an honorarium payment,
- b) the Gift is or includes alcohol of any kind,
- c) the Gift is or may appear to have been offered to influence a decision, secure preferential access or treatment, or
- d) the Gift seems disproportionately valuable in the circumstances.

7.5. Employees who are offered or who receive a Gift that:

- a) is valued at more than \$100 (other than where the Gift is received as a matter of Indigenous protocol or where the City Manager (or authorized designate) has approved the acceptance of the Gift),
- b) is valued at less than \$100 but the total value received directly or indirectly from one source in any 12-month period exceeds \$100, or
- c) does not otherwise meet the requirements of this policy,

must decline the Gift or, if not practical to decline, disclose the Gift in accordance with the procedures associated with this policy and transfer it to the City Clerk's Office.

- 7.6. Employees must take all reasonable steps to ensure their immediate family members do not receive Gifts that could appear to be in exchange for special consideration or influence by the City Employee.
- 7.7. Employees may not take advantage of discounts/rebates on personal purchases from City suppliers unless the City has approved such discounts for all Employees.
- 7.8. Employees must use good judgement to mitigate any real, potential or perceived conflict of interest, taking into consideration how the acceptance of the Gift would be perceived by a reasonable person.
- 7.9. If there is uncertainty as to whether the acceptance of a Gift aligns with the expectations above, Employees must seek guidance from their exempt supervisor or manager. This guidance must be documented and placed on the Employee's personnel file.

### **8. Complaint Handling**

- 8.1. A complaint under this policy must be brought forward according to the accompanying procedure document.
- 8.2. Alleged breaches of this policy shall be investigated in accordance and as outlined in the accompanying procedure document.

### **9. Breaches**

Any breach of this policy may result in corrective action and/or discipline up to and including termination of employment. Employees who are in unionized roles may grieve any disciplinary action under the terms of their collective agreements.

### **10. Retaliation**

- 10.1. It is a breach of this policy to retaliate against another person for:
  - a) filing a complaint in good faith;
  - b) cooperating in an investigation or a resolution process;
  - c) supporting someone to make a report or file a complaint;
  - d) carrying out their responsibilities under this policy.
- 10.2. Actions taken by the City to direct its workforce in good faith does not constitute Retaliation.
- 10.3. Anyone who experiences Retaliation can file a complaint under this policy.

## 11. Confidentiality

Confidentiality in complaint and investigation processes is critical to maintaining integrity in those processes. Information sharing amongst parties to an investigation, such as conversations between witnesses, can compromise the ability of the investigator to conduct accurate and rigorous fact finding, and can seriously undermine the interest of the parties involved. Confidentiality extends to all information provided orally or in writing, meetings, interviews, investigation results and summary reports.

Anyone who makes a complaint, is the subject of a complaint, or is a witness in an investigation of a complaint, is expected to maintain confidentiality with respect to the investigation process. Failure to maintain confidentiality as required may result in discipline up to and including termination of employment (for City Employees), or restrictions on the ability to bring complaints in the future (for all other persons).

Nothing in this policy prevents a person from obtaining advice or support from union representatives and professional advisors (lawyers, doctors, counsellors, etc.).

Individuals mandated to investigate a complaint under this policy will keep confidential all information collected in the course of an investigation and will limit disclosure of such information to that which is necessary to investigate and/or resolve the complaint or for the conduct of legal proceedings

## 12. Employment Contracts, Collective Agreements and Legislation

Nothing in this policy is meant to conflict with the City's obligations to its Employees under its various collective agreements, employment contracts, and legislation. In the event that any portion of this policy or procedure is inconsistent with an employment contract, binding City collective agreement, or any applicable legislation, that portion and only that portion of the policy or procedure shall have no application to the extent of that inconsistency. All other portions of the policy or procedure shall continue in full force and effect.

## REFERENCES AND RELATED POLICIES:

COUN-012 P1	Code of Conduct - Procedure
COUN-010	Whistleblower Policy
ADMIN-050	Respect in the Workplace Policy
ADMIN-060	Social Media Policy
ADMIN-035	Technology-Acceptable Use Policy
ADMIN-029	Privacy Policy
ADMIN-009	Corporate Records Management Policy
	Mobile Technology Acceptable Use Guidelines
	Staff Gift Disclosure Form

## Conflict of Interest Disclosure Form

### APPROVAL AND REVIEW HISTORY:

<b>Version 1 approved by:</b>	<b>City Council</b>	2/9/2021
<b>Version 2 approved by:</b>		Click here to enter a date.

**Next review date**      [Click here to enter a date.](#)

*(Standard 4-year review cycle)*

## Appendix B: Code of Conduct Policy Procedure

<b>PROCEDURE TITLE</b>	Code of Conduct Procedure
<b>CATEGORY</b>	Council
<b>PROCEDURE NUMBER</b>	COUN-012 P1
<b>RELATED POLICY, PROCEDURES, LEGISLATION</b>	Code of Conduct Policy COUN-012
<b>POLICY OWNER</b>	Human Resources
<b>ACCESS</b>	Public

### PURPOSE

This procedure falls under and should be read in conjunction with the Code of Conduct Policy (the "policy").

This procedure outlines disclosure and reporting mechanisms, as well as associated processes, with respect to alleged breaches of the policy, conflicts of interest, and other Employee obligations outlined in the policy.

### PROCEDURE STATEMENTS

#### 1. Disclosure and Reporting of Conflicts of Interest

- 1.1. If an Employee has or believes they have a Real, Perceived or Potential Conflict of Interest as described in the policy, they must disclose it by completing and submitting to their exempt manager a *Conflict of Interest Disclosure Form* (the "form"). The form must be completed and submitted within 15 days of the Employee becoming aware that a real, perceived or potential conflict has arisen.
- 1.2. An Employee must make the disclosure and provide the completed form to their exempt manager, with the following exceptions:
  - a. the City Manager and the Auditor General must make the disclosure to to City Council, in confidence;
  - b. the Political Staff member must make the disclosure to the City Manager who will bring it to the attention of the member of Council responsible for the Political Staff member.

#### 2. Assessing, Documenting and Remedial Action

- 2.1. Employees (other than City Manager, Auditor General or Political Staff):
  - a. The Employee's exempt manager will meet with the Employee and review the information provided in the form.
  - b. In consultation with the Employee's General Manager/Department Head and Human Resources representative, the manager will determine

whether a real, perceived or potential conflict exists and if remediation action is required.

- c. The manager must record on the form all information provided by the Employee during the meeting and any remedial actions required.
- d. The completed form must be signed by the Employee, their exempt manager, the General Manager/ Department Head and responsible Human Resources representative. A copy must be placed on the Employee's personnel file.

## 2.2. City Manager and Auditor General:

In the event the City Manager or Auditor General believes they have a Real, Perceived or Potential Conflict of Interest as described in the policy, they must disclose it by completing and submitting the form to City Council. City Council may make a determination with respect to the appropriate responsibility for assessing whether a conflict of interest exists and any remediation that may be required, in consultation with the Director of Legal Services or external legal counsel, and in accordance with applicable employment law(s).

## 2.3. Political Staff:

- a. The Political Staff member will meet with the City Manager and their responsible member of Council to review the information provided in the form.
- b. Appropriate action, if any, will be taken in consultation between the City Manager and the responsible member of Council, and if required the Director of Legal Services or external legal counsel, and in accordance with applicable employment law(s).
- c. The City Manager must record on the form all information provided by the Employee during the meeting and any remedial actions required.
- d. The completed form must be signed by the Political Staff member, the City Manager, and the responsible member of Council. A copy must be placed on the Employee's personnel file.

## 3. How to Report an Alleged Breach of the Policy

### 3.1. A report of an alleged breach must be made in writing and should contain the following information:

- Name and contact information of the person making the report;
- Date, time and location of the alleged breach;
- Name and position of person(s) alleged to have breached the policy;
- Conduct of concern; and
- Name(s) of witnesses if any/known.

A report of an alleged breach may be made anonymously. However, in some cases, an investigation may be limited where the source of the information is unavailable.

3.2. The appropriate person to whom an alleged breach must be reported depends on who has committed the alleged breach:

- a. For a breach by an Employee other than a General Manager/department head, the City Manager, the Auditor General, or a Political Staff member, the breach must be reported to a General Manager or department head;
- b. For a General Manager or department head, a breach must be reported to the Chief Human Resources Officer;
- c. For the Chief Human Resources Officer, a breach must be reported to the City Manager;
- d. For the City Manager or the Auditor General, a breach must be reported to the Chief Human Resources Officer who will then bring it forward to City Council, in-camera;
- e. For a Political Staff member, a breach must be reported to the City Manager who will bring it to the attention of the member of Council responsible for the Political Staff member.

## **4. Preliminary Assessment of Alleged Breaches**

With the exception of alleged breaches by either the City Manager or Auditor General, when a report of an alleged breach is received, the person receiving the report must make a preliminary assessment to determine if an investigation is warranted. In making that determination, the person may consider, among other things: 1) the seriousness of the conduct alleged in the complaint, and 2) whether it would be a good use of City resources to investigate the alleged conduct.

## **5. Investigation of Alleged Breaches and Determination of Consequences**

5.1. Employees (other than City Manager, Auditor General or Political Staff):

Investigations will be performed in accordance with existing Human Resources processes and in accordance with applicable employment law(s).

5.2. City Manager and Auditor General:

City Council will assign responsibility for any investigation and disposition of the alleged breach, in consultation with the Director of Legal Services or external legal counsel, and in accordance with applicable employment law(s).

5.3. Political Staff:

If the City Manager's preliminary assessment is that a breach may have occurred and that investigation is warranted, the City Manager will engage an external third party to investigate any alleged breach by a Political Staff member. The results of that investigation will be shared by the City Manager with the member of Council responsible for the Political Staff member.



Appropriate action will be taken in consultation between the City Manager and the responsible member of Council, and if required the Director of Legal Services or external legal counsel, and in accordance with applicable employment law(s).

**General:**

- 5.4. The City will determine if an investigation into an allegation is warranted, and how that investigation will be carried out, with the exception of allegations made against the City Manager, Auditor General, or any Political Staff member as set out above.
- 5.5. Except as set out above, breaches of the policy by Employees will be handled through existing processes and in accordance with applicable employment law(s). The Chief Human Resources Officer, General Manager or department head and/or the City Manager will review details of alleged breaches, investigation findings and recommendations, make any necessary inquiries, and determine appropriate corrective action and/or discipline.
- 5.6. Any breach of the policy may result in corrective action and/or discipline up to and including termination of employment. City Employees, who are in unionized roles, may grieve any disciplinary action under the terms of their collective agreements.

## **6. Disclosure of Gifts, Personal Benefits and Entertainment**

- 6.1. Where an Employee has received a Gift that does not meet the criteria as outlined in the policy, then the Gift must not be accepted, unless the Employee receives approval from the City Manager as required by the policy.
- 6.2. Employees who are offered or who receive a Gift that does not otherwise meet the requirements of the policy, must decline the Gift, or if not practical to decline, disclose the Gift and transfer the Gift to the City Clerk's Office no later than fifteen (15) days following receipt of the Gift. The Gift must be accompanied by a completed *Gift Disclosure Form*.
- 6.3. A Gift transferred to the City Clerk's Office is deemed property of the City. At the City Clerk's discretion, a Gift may be disposed of as follows:
  - a. returned to the donor;
  - b. displayed in an office space, or in the public areas of City Hall; or
  - c. disposed of by donation, sale or auction, with any proceeds credited to the city's general revenues or to the direct or indirect support of a charitable organization.
- 6.4. Responsibility for returning a Gift, and for disclosure and transfer of a Gift to the City Clerk's Office, as well as the completion and submission of the *Gift Disclosure Form*, lies solely with the Employee who received the Gift.
- 6.5. If the Employee is unsure of the value of a Gift, they must contact the City Clerk's Office who will determine the value based on its replacement cost.

- 6.6. If the return of a Gift or refusal of a Gift would be offensive to the donor, then the Gift should be transferred to the City Clerk's Office accompanied by a completed *Gift Disclosure Form*.

## 7. Document Retention

- 7.1. Information collected and retained by the City during a Code of Conduct investigation shall be kept in a confidential file separate from any Employee's personnel file and shall be maintained by Human Resources. Documentation which outlines disciplinary action shall be placed on an Employee's personnel file.

Information collected and retained during a Code of Conduct investigation, or received by the City from an external investigator charged with performing a Code of Conduct investigation

- a. involving the City Manager, or the Auditor General, shall be provided to the Chief Human Resources Officer, or
- b. involving the Chief Human Resources Officer, or a Political Staff member, shall be provided to the City Manager,

and kept in a confidential file.

- 7.2. Information collected and retained during an investigation process may be required to be released by law for example during court proceedings, arbitration, or other legal proceedings. Personal Information shall be protected in accordance with the *Freedom of Information and Protection of Privacy Act*.

## APPROVAL HISTORY

<b>Version 1 approved by:</b>	Chief Human Resources Officer (HR General Manager)	<a href="#">Click here to enter a date.</a>
	City Manager	<a href="#">Click here to enter a date.</a>
	City Council	<a href="#">Click here to enter a date.</a>

**Next review date** [Click here to enter a date.](#)

*Standard 4-year review cycle*