

COUNCIL MEMBERS WORKSHOP

PHASE THREE: TOWN COUNCIL WORKSHOP

DEVELOP CODE OF CONDUCT: NEWMARKET

NEWMARKET TOWN CENTRE
OCTOBER 20, 2015

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AGENDA

1. Process Context and History
2. Phase Three Decision-Making
3. Recommendations
 1. Choices
 2. Good Governance
 3. Routine disclosure of information
 4. Communications Channels
4. Next Steps

1. Process context (1)

Ask for thoughts, inputs from public

Help develop a robust, state of the art
code of conduct for elected officials

Phase three of a three part process

Explore themes where

- Content choices need to be made
- Texts and approaches need to be formulated
- Corporate policies vs. code of conduct vs.
guidelines vs. values statement vs integrity test

1. Process history (2)

Phase One: 19 in-depth interviews with
elected officials, senior staff, ERIC employees

June 23-25

Phase Two: Open Public meeting: public and
staff: 16 persons

September 16

Phase Three: Today's: Council Workshop

October 20

2. Phase Three Decision-Making: Expectations (1)

Decisions should

- Update roles and responsibilities
- Provide necessary good governance guidance
- Address public, staff and councillor inputs
- Identify model best practices, where they exist
- Use all available opportunities: policies, code, ethics Q and A manual, social media
- Emphasize process as well as text product
- Recognize or anticipate possibilities of prospective Provincial changes

2. Phase Three Decision-Making: Framework (2)

Today's Phase Three Recommendations

- Choices (n=3)
- Housekeeping (n=12)
- Text change (n=10)
- Park (n=15)

New language

Pre-December 31, 2015 Decision and
Disposition Deadline

2. Phase Three Decision-Making Logic (3)

Excel spread sheet recommendations

Application media or venue choices

- Code of conduct
- Corporate policy
- Integrity test
- Commissioner guidance statement (voluntary but binding on commissioner)
- Ethics Q and A manual
- Member sign-off statement
- Social media

2. Phase Three Decision-Making New language (4)

Pecuniary and social, familial interests

Routine presumptive reporting and
accountability regimen

Ethics Q and A Manual

“Ask before act” prophylaxis

- Freedom for member
- Binding upon Integrity Commissioner

Transparency and Accountability Committee
of Council

3. Recommendations

Recommendations

1. Choices
2. Good Governance
3. Routine disclosure of information
4. Communications Channels

3. Choice One

Family and Business Partners

Should code recognize activities of spouse, relatives and business partners doing business with Town

Yes - appearance of propriety

- personal interest, corrupt practices
- practice in many other jurisdictions
- court cases in Toronto, Mississauga

No – members opposed

- unfair to restrict “family”

3. Choice Two; Town vs Personal Events

Should members have their own events, and in any year of office

Yes - community leadership, promotion

- not inherent conflict of interest

- legacy issues

No - potential misuse Town resources

- unfair bias favouring incumbents

- is it Town event or not?

3. Choice Three

Conflict of interest

Do we exceed letter of law which stops at pecuniary interest

Yes - family interests are real

- members can sit on community boards
- Provincial letter of law is likely to change

No – you'd need training on declaration, when to participate in discussion, when in vote

5. Next steps

Decisions on choices

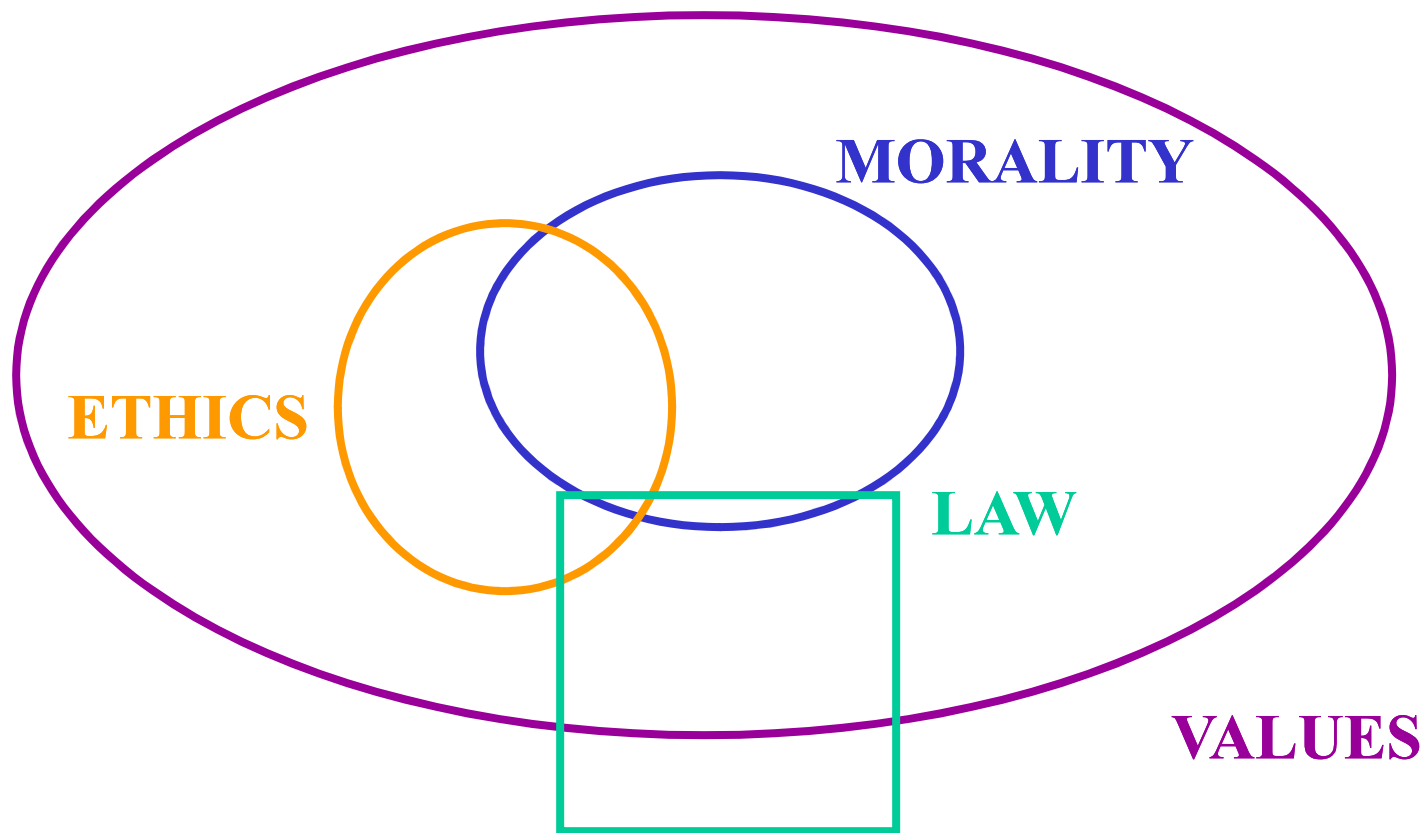
Decisions on text

Review and approve

- Housekeeping items (staff, EthicScan)
- Text change (EthicScan)
- Park (not immediate problem, Q and A input, enduring accountability, input from IC)

Monitor Provincial, other jurisdictions' decisions

LANGUAGE OF ETHICS AND ACCOUNTING (1)



EthicScan Canada

Integrity, ethics officer and
accountability commissioners

Complaint investigations

Ethics codes and guidance

Webinars, conferences and courses

Municipal governance blog

<http://www.ethicscan.ca>