

Lac La Biche County *Policy*

TITLE: Code of Conduct Process

POLICY NO: GOV-11-022

RESOLUTION: 24.400

EFFECTIVE DATE: September 10, 2024

DEPARTMENT RESPONSIBLE: Legislative Services

NEXT REVIEW DATE: September 10, 2027

POLICY STATEMENT:

This policy serves to establish expectations between Council and Administration with respect to complaints filed under Council's Code of Conduct Bylaw. The goal of this policy is to limit the actions of Administration to procedural matters which support Council as a whole.

DEFINITIONS:

The definition of terms used in this policy are those which are outlined in the Code of Conduct Bylaw.

PRINCIPLES:

1. If any part of this policy conflicts with Council's Code of Conduct Bylaw, the Bylaw shall prevail.
2. All formal complaints shall be forwarded to the Council appointed Investigator.
 - a. A Lac La Biche County email and telephone number shall be forwarded to the Investigator.
 - b. The Investigator is responsible for actively monitoring and receiving complaints. Aside from troubleshooting technological difficulties, Administration is not responsible for actively monitoring any of the communication channels provided to the Investigator.
 - c. In the event the Investigator position is vacant, Complaints shall be forwarded to Administration. Administration shall then advise Council of the complaint and Council will determine next steps, which may include sourcing an Investigator to review the matter.
3. Administration is responsible for reviewing billing and authorizing payment for the work performed by the Investigator. Accordingly, upon receipt of a complaint, the Investigator shall advise Administration of the scope of work required to perform the Investigator's duties.
4. The Investigator is responsible for communicating with the Complainant and Respondent Member throughout the complaint process.
5. Upon conclusion of a complaint, the Investigator is responsible for sharing their findings with the respondent Member.
6. Following advisement to the respondent Member, the Investigator shall provide the finalized reporting documents to Administration for circulation to Council, through the Council Agenda Package.

- a. For complaints that are investigated and substantiated:
 - i. Inclusion in the Council agenda package should be timely and to ensure expedient conclusion of the matter. This may include scheduling of a special council meeting.
 - ii. The respondent Member shall be provided with at least 10 days' advance notice of when the Investigator's report will be presented at a Council Meeting. The respondent Member shall be afforded procedural fairness, including an opportunity to respond to the Investigator's report.
 - iii. Administration shall liaise with the Investigator and Legal Counsel to coordinate their availability for the Council Meeting. Council may determine, at the meeting, the level of involvement from the Investigator and Legal Counsel.
 - b. For complaints that are investigated and unsubstantiated:
 - i. Inclusion in the Council agenda package should be timely and to ensure expedient conclusion of the matter. This may include scheduling of a special council meeting.
 - ii. The respondent Member shall be provided with at least 10 days' advance notice of when the Investigator's report will be presented at a Council Meeting. The respondent Member shall be afforded procedural fairness, including an opportunity to respond to the Investigator's report.
 - c. For complaints that are dismissed or resolved through early resolution:
 - i. Inclusion in the Council agenda package should be timely to ensure expedient reporting to Council.
7. Upon Council receiving and considering the investigation report, Administration shall prepare, for signature by an elected official, written notice to the Complainant outlining the Investigator's findings (i.e. substantiated/unsubstantiated), and any decision of Council respecting acceptance of the findings and issuing of sanctions.
 8. Administration shall be responsible for publication and for reviewing the documents and applying the appropriate redactions under the *Freedom of Information and Protection of Privacy Act*.
 - a. Information posted to the County's website shall be available for 12 months from the date of publication.
 9. Official comment on the outcome of a complaint, such as a response to a media inquiry, is the responsibility of the Mayor. If the complaint is about the Mayor, comment on the outcome lies with the Deputy Mayor.
 - a. If public inquiries arise with respect to the procedures associated with the code of conduct, Administration may provide an official response, provided the response does not include comment on any specific complaint.
 10. Upon conclusion of any complaint, and for the purposes of records retention and *Freedom of Information and Protection of Privacy Act* obligations
 - a. the case file, including the complaint, witness statements, investigator's notes, and

b. the Investigator’s report and records documenting complaint resolution or disposition, will be retained in accordance with the County’s Records Retention and Disposition Schedule. Materials included in the Council agenda package are permanent official records of Lac La Biche County.

- 11. Nothing in this policy is meant to limit or restrict the participation of Lac La Biche County staff:
 - a. that may have filed a complaint,
 - b. that may have been witnesses to an alleged contravention, or are requested to provide materials (i.e. copies of policies) by the Investigator

"Original Signed"

Mayor

September 13, 2024

Date

"Original Signed"

Chief Administrative Officer

September 12, 2024

Date

SPECIAL NOTES/CROSS REFERENCE: Code of Conduct Bylaw

AMENDMENT DATE: date changes were made here