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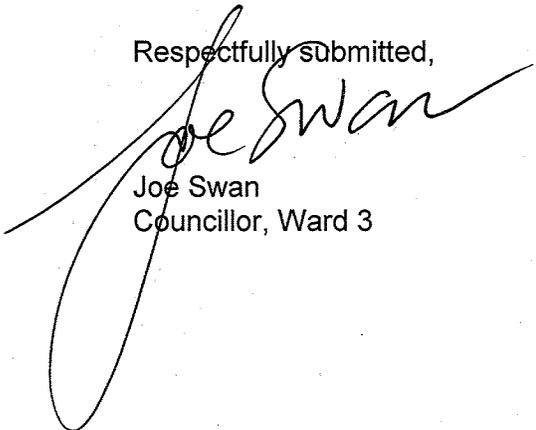
Chair and Members
Finance and Administrative Services Committee

Re: Code of Conduct for Members of Municipal Council

I understand that staff will be bringing forward an update on their review of the Code of Conduct for Members of Municipal Council. I would respectfully propose that the final staff report on these matters be referred to a citizen Task Force to review, consider and recommend to the Council a modern code of conduct that includes voluntary actions by a member, as well as prescribed sanctions, if and when required. I would also propose that the work of the Task Force be in accordance with the attached proposed terms of reference and that the applications come before a special meeting of the Strategic Priorities and Policy Committee on January 15, 2013, prior to the Council meeting, for consideration by Council that same evening,

It is my belief that City Council and the community would benefit from the knowledge and assistance of an independent and autonomous group of citizens who could bring their relevant expertise to the table in order to guide City Council in reaching an informed and reasonable resolution of this matter.

Respectfully submitted,



Joe Swan
Councillor, Ward 3

COUNCIL CODE OF CONDUCT TASK FORCE TERMS OF REFERENCE

Mandate

The Council Code of Conduct Task Force (CCCTF) reports to the Municipal Council through the Strategic Priorities and Policy Committee. The CCTF will provide its final advice and recommendations to the Municipal Council, by February 28, 2013 on:

- a code of conduct, conflict of interest and integrity standards and any related policies or guidelines with respect to the rights of the public and of the Council Member, voluntary actions available to a Council Member, and sanctions and/or penalties that can be taken within the municipality's powers and authorities (e.g. *Charter of Rights and Freedoms, Ontario Human Rights Code, Criminal Code, the Municipal Act, 2001, the Municipal Elections Act, etc.*), at the discretion of the Municipal Council;
- an education program for Council Members and staff relating to the advice and recommendations of the Task Force.

Composition

Five voting members including:

Four members of the public unanimously appointed by the Municipal Council;
and

A credentialed ethicist (ie; doctorate in philosophy with a specialization in governance ethics and laws or a doctorate in philosophy with experience in political ethics, (such as a chair or committee member of an Ethics Review Board, or a recognized expert in the field of integrity, ethics and code of conduct).

Term of Office

Members shall serve at the pleasure of the Municipal Council, with their term of office concluding upon submission of the CCCTF's final report by February 28, 2013. Any Task Force member may resign upon written notification to the Municipal Council. Task Force members who are absent for more than three Task Force meetings shall automatically forfeit membership on the Task Force. The Chair has the discretion to approve, in advance, the absence of any Task Force member.

Appointment Policies

The Task Force will recommend to the Municipal Council the appointment of a Chair and Vice Chair from amongst the Task Force members. The Task Force will recommend to the City Council the appointment of new Task Force members, as vacancies or extraordinary needs arise.

Voting rights

Only Task Force members shall be entitled to vote. The Task Force will form its decisions based upon consensus. If the Task Force is unable to achieve consensus, a minority report shall be submitted to the Municipal Council.

Meetings

Meetings shall be held at the call of the Chair, in consultation with the Committee Secretary. All meetings shall be held in public session, unless a matter meets the requirements for a closed meeting as defined by the *Municipal Act, 2001*.

The Task Force may, at its discretion, invite staff or other delegations to provide input or comment to assist the Task Force in formulating its advice and recommendations to the Municipal Council.

Quorum

A simple majority of the Task Force members shall constitute quorum.

Conduct

The conduct of the Task Force shall be in keeping with Council Policy. Members must declare conflicts of interest at a Task Force meeting prior to the discussion of matters for which they have a conflict. A conflict of interest may include those situations where personal, occupational or financial considerations may affect, or appear to affect, the objectivity or fairness of decisions related to the work of the Task Force. A conflict of interest may be real, potential or perceived in nature. A member who declares a conflict must exclude themselves from discussion and voting. In the event it is not clear if a member has a conflict, the member shall put the decision to the Task Force on whether or not they should exclude themselves from discussion and vote.

Confidentiality

Each Task Force member must sign a confidentiality agreement at the time of their appointment, indicating their agreement to maintain the confidentiality, security and integrity of any confidential information they were made privy to while serving on the Task Force, both during and after their term on the Task Force.

Remuneration

Task Force members shall serve without remuneration.

Staff Contact:

Committee Secretary: tbd
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