

Council Policy

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Number:	CP-029
Title:	Code of Ethics
Type:	Corporate Governance
Sub-type:	Click or tap here to enter text.
Owner:	Legislative Services Human Resources Council
Approved By:	April 29, 2025
Approval Date:	December 14, 1998
Effective Date:	March 31, 2025
Revised Date:	All Departments and Staff
Applicable to:	

1. Legislative or Administrative Authority:

- 1.1. This policy is developed in accordance with Section 270(1) of the *Municipal Act, 2001*, which states that a municipality shall adopt and maintain a policy regarding the relationship between members of Council and the officers and employees of the municipality.
- 1.2. This policy was developed in accordance with Council Report TR-88-98, which provided the recommendation for Council to approve Code of Ethics Policy for employees of the Municipality of Clarington.
- 1.3. Council By-law 98-186 and subsequently By-law 2018-034.
- 1.4. Council Reports CLD-008-18, LGL-010-13, CAO-010-09, CAO-007-09, CLD-042-07, CAO-11-07, COD-020-01.

2. Purpose:

- 2.1. To provide a standard of conduct for employees of the Municipality in the carrying out of their work assignments and their relationships with the public, elected officials and each other.

3. Scope:

- 3.1. This Council Policy applies to all employees.

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4. Definitions:

- 4.1. “Immediate family member” shall mean spouse, father, mother, son or daughter for the purpose of this policy.

5. Policy Requirements:

Conduct

- 5.1. Employees are expected to promote the goals, objectives and policies of the Municipality of Clarington.
- 5.2. Employees will acknowledge and recognize the dignity and worth of every resident they serve and person with whom they work.
- 5.3. Employees shall not breach the public trust or misappropriate public funds and/or resources.
- 5.4. Employees shall not use Municipal property, equipment, supplies or services of consequence for activities not associated with the discharge of official duties.
- 5.5. Employees shall not participate in any decision, promotion or make any recommendation to their supervisor, Committee or Council, in which they or their immediate family has any financial interest except as a resident of the Municipality.
- 5.6. Employees shall not solicit or accept any gift, present or favour, the acceptance of which shall place, or appear to place, the employee under an obligation to the donor or the Municipality in a compromising situation.
- 5.7. The following guidelines are provided in reference to gifts:
 - 5.7.1. An employee shall not accept any gift either at home or at the place of business from any person, company or business, irrespective of whether the person, company or business has any business connection with the Municipality, in the past, currently or in the future.
 - 5.7.2. In the latter situation, it is understood that an employee cannot predict who will be doing business with the Municipality in the future. In this situation, an employee should seek advice from the Deputy CAO. For example, a development company, or a potential supplier may not have any past or current business with the Municipality. However, the employee should be

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cognizant of the nature of the business of these companies and should not accept any gift from these companies because it would place the employee in a compromising situation.

- 5.8. The above provisions apply to personal gifts during the Christmas season. The only exception being a gift to the Department as a whole and could include such items as a fruit basket, chocolates, etc., during the Christmas season.
- 5.9. In the event gifts are dropped off before the employee has the opportunity to refuse acceptance, the gifts should be turned over to the Deputy CAO who shall:
 - 5.9.1. Return the gifts if it does not cause the Municipality to incur unnecessary expenses; or
 - 5.9.2. Telephone the donor and request to have the gifts picked up. Should the gifts not be picked up, the Department Head shall donate the gifts to a local charity and advise the donor in writing of the action taken.
- 5.10. Employees shall not place themselves in a position where they are under obligation to any person who might benefit from consideration or favour on their part or who may seek in any way, preferential treatment.
- 5.11. Employees shall not benefit from the use of information relating to the affairs of the Municipality.
- 5.12. Employees shall not benefit from the use of information acquired during the course of official duties which is not generally available to the public.
- 5.13. Employees shall not accept outside employment while in the employ of the Corporation where such employment would place or appear to place them in a conflict-of-interest situation.
- 5.14. Employees shall not sell goods or services to the Municipality or have a direct or indirect interest in a company or own a company which sells goods or services to the Municipality.
- 5.15. Employees shall not treat or provide preferential treatment to any enterprise, organization, group or person.

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- 5.16. Employees shall not conduct their work activities in a manner which may cause personal injury to themselves or others or damage to equipment or property of the Municipality.
- 5.17. Employees are expected to report to work in a fit condition to carry out their work duties. Employees reporting to work in an unfit condition will be sent home without pay. The Corporation considers an employee unfit for work if they are under the influence of alcohol or other substances which may compromise their ability to work. This includes legal medications which may impair one's effectiveness and/or judgment and those other substances which are illegal. Likewise, consumption of alcohol or illegal substances during working hours and on corporate property is strictly forbidden.
- 5.18. Employees shall not bid on the sale of the Municipality's goods except those disposed by Public Auction.
- 5.19. Employees shall not use Municipal buying power for personal gain or benefit.

Outside Work

- 5.20. Employees shall not, without the approval of the Deputy CAO or the CAO, as the case may be:
 - 5.20.1. Engage in any business or transaction or have financial or other personal interest, which is incompatible with the discharge of their official duties.
 - 5.20.2. Engage in any outside work or activity or business undertaking:
 - That interferes or appears to interfere with the employee's duties, in which the employee has an advantage or appears to have an advantage derived from the employment in the Municipal Corporation.
 - In a professional capacity that will or might appear to influence or affect the carrying out of duties as a Municipal employee.
- 5.21. This is not intended to prohibit any employee of the Municipality to augment their income by engaging in other part-time employment opportunities which bear no resemblance to their municipal work. If the nature of the part-time/outside work is related, the employee should seek prior clearance from the Deputy CAO.

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Communications

- 5.22. An employee shall be courteous, civil and act in good faith with all persons with whom he/she is dealing within the course of their employment. An employee shall not in the course of their employment send correspondence or otherwise communicate to any other person in a manner that is abusive, offensive or otherwise inconsistent with the proper tone of a professional communication from a Municipal employee, except in extenuating circumstances such as an abusive member of the public.
- 5.23. Employees should recognize that as a representative of the Municipality, their actions both during and after working hours reflect the Municipality of Clarington. Therefore, they are encouraged to adhere to this policy regarding communications when addressing council or elected representatives even as a private citizen.

Confidential Information

- 5.24. In the course of employment with the Municipality, an employee may work with information and/or materials which are confidential. Each employee has a moral and legal obligation not to disclose any such information or use that information for the gain or profit of the employee or any other person. This obligation continues even after the employee discontinues working for the Municipality of Clarington.

Disclosure

- 5.25. Whenever an employee considers that they could be involved in a conflict of interest as prohibited in this policy, the employee shall immediately disclose the situation to the Deputy CAO (or their designate), or the CAO, as the case may be. The voluntary disclosure of areas of conflict of interest shall be treated as confidential by the employee and Municipal authorities and the employee should abide by the advice given to them.

Staff Involvement in Elections

- 5.26. Municipal staff are expected to preserve the public trust and confidence in the Municipality. With respect to elections, employees are expected to promote the principles of transparency, impartiality, respect and accountability as follows:
 - 5.26.1. Employees engaged in political activities must take care to separate those personal activities from their Municipal responsibilities. Employees may

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participate in political activity at the Federal, Provincial and municipal levels provided that such activity does not take place during work hours, or utilize Municipal assets, resources, or property. Notices, posters or similar material in support of a particular candidate or political party are not to be displayed or distributed by employees on Municipal work sites or on Municipal property.

- 5.26.2. Employees shall not canvass or actively work in support of a municipal candidate or political party during normal working hours unless they are away from work on a leave of absence without pay, maternity/parental leave, lieu time, flex day or vacation leave.
- 5.26.3. Employees shall not canvass or actively work in support of a municipal candidate or political party while wearing a uniform, badge, logo or any other item identifying them as an employee of the Municipality, or using a vehicle owned or leased by the Municipality.
- 5.26.4. Employees who are relatives of any candidate shall not be assigned to work as an election official, or work on any part of the election process.
- 5.26.5. Employees are advised to be especially mindful of public perception during municipal elections, and to ensure that their activities neither conflict with nor adversely affect their duties as Municipal staff.
- 5.26.6. Where a Municipal employee seeks an elected office, they shall be governed by the Municipal Elections Act.

Contravention

- 5.27. Should a situation arise which appears to be in contravention of this policy, the CAO shall, in consultation with the employee's Deputy CAO and any other Municipal Official they may wish to consult, determine what action is appropriate in the circumstances, which may include discipline up to and including termination of service. The matter may then be reported, at the discretion of the CAO, to the appropriate Committee(s) of Council for information.

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6. Roles and Responsibilities:

6.1. Council is responsible for:

- 6.1.1. Approving this Policy and making amendments as required by the *Municipal Act, 2000*.
- 6.1.2. Adhering to this policy.

6.2. Chief Administrative Officer (CAO) is responsible for:

- 6.2.1. Updating this policy as directed or may be required from time to time due to legislative changes or administrative changes.

6.3. All Staff are responsible for:

- 6.3.1. Adhering to the Council Policy.

7. Related Documents:

Not applicable

8. Inquiries:

- 8.1. Human Resources at [humanresources @clarington.net](mailto:humanresources@clarington.net)

9. Revision History:

Date	Description of Changes	Approved By
April 29, 2025	Converted Policy E1 to a Council Policy, incorporating appendix into Policy	
November 3, 2020	Policy Review, E1.	Council
April 9, 2018	Policy Review, E1 with CLD-008-18 and Bylaw 2018-034.	Council
October 28, 2013	Policy Review, E1with report LGL-010-13.	Council

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September 18, 2012	Policy Review E1	CAO
November 23, 2009	Policy Review with report CAO-010-09, reference Code of Conduct Council	Council
November 24, 2009	Review Policy E1	CAO
October 19, 2009	Policy Review with report CAO-007-09, Code of Conduct (Council)	Council
December 3, 2007	Review with report CLD-042-07 "Accountability and Transparency" reference to Code of Ethics E1	Council
June 18, 2007	Review Policy E1 with report CAO-11-07 Lobbyist Registry.	Council
July 17, 2006	Review Policy H3 Code of Ethics.	Council
December 10, 2001	Review Policy H7 with Bylaw 2001-209.	Council
December 3, 2001	Review in accordance with Report COD-020-01	Council
December 14, 1998	H7 "Code of Ethics" Established in accordance with Bylaw 98-186.	Council
December 7, 1998	TR-88-98 "Code of Ethics Policy Report" Established.	Council