



CITY OF HAMILTON
City Manager's Office
Human Resources

TO:	Chair and Members Audit, Finance & Administration Committee
COMMITTEE DATE:	June 20, 2016
SUBJECT/REPORT NO:	Code of Conduct for Employees & Ethics Program Update (HUR16017) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Aine Leadbetter, Human Resources Policy and Planning Specialist (905) 546-2424 ext. 6667
SUBMITTED BY:	Helen Hale Tomasik Executive Director, Human Resources & Organizational Development
SIGNATURE:	

RECOMMENDATION

- (a) That Council review and approve the inclusion of Schedule E: Anti-Nepotism in the Code of Conduct for Employees, attached as Appendix A to Report HUR16017; and
- (b) That Council receive an update on the City of Hamilton's Ethics program, including the Code of Conduct sign off and training program for all Employees

EXECUTIVE SUMMARY

A strong Employee Code of Conduct is essential for the City of Hamilton ("the City") to demonstrate ethics and integrity and to build the trust and confidence of the citizens it serves. Over the past few years, the City has placed greater emphasis on corporate culture and ethics, and much work has been done to improve the Code of Conduct Policy and its supportive processes, and to further develop the City's Ethics Program. The City of Hamilton conducts a review of the Code of Conduct for Employees on an annual basis to ensure that the policy continues to remain relevant, to allow for changes, and to address any issues that may have come up throughout the year.

As part of the 2016 review of the policy, staff recommend that the Anti-Nepotism Policy be included as a separate schedule under the Code of Conduct for Employees. Additionally, City staff has developed a program that will be initiated in July 2016 to further improve the ethics program. This program includes online training on Workplace Ethics and the Code of Conduct as well as an electronic sign off process for employees to acknowledge their annual review of the Code of Conduct. This will make it easier for employees to review the Code of Conduct and sign off at their convenience, and allow the corporation to monitor compliance with this Code of Conduct procedure. In addition Human Resources staff has developed an on-boarding module for all new people leaders entitled "Ethics, Trust and Responsibility" which is part of our Leadership on the Inside program.

FINANCIAL – STAFFING – LEGAL IMPLICATIONS (for recommendation(s) only)

None

HISTORICAL BACKGROUND (Chronology of events)

The current Code of Conduct for Employees Policy was approved by Council in 2009.

In 2013, the City Manager submitted report CM13019 Corporate Culture, Values & Ethics for City Employees, which referenced the City's Corporate Culture initiative and provided the findings of the Internal Audit Report 2013-02 Corporate Ethics Review and a Management Action Plan. This report highlighted the importance of ethics and ethical behaviour as a central component in developing a culture of steadfast integrity that will build citizen trust in our public service. The Audit Report 2013-02 made a number of recommendations pertaining to the Code of Conduct, such as an annual review of the policy, clarification of roles, an annual employee sign off, tracking and reporting.

Since Internal Audit Report 2013-02, the Code of Conduct has been reviewed by the Corporate Policy Review Group. In 2014, staff brought forward a recommendation to restructure and consolidate the Code of Conduct for Employees. Council approved the primary policy document which outlined the principles behind the Code of Conduct as well as the four attached schedules: Schedule A: Conflict of Interest; Schedule B: Fees, Gifts, and Hospitality; Schedule C: Financial and Business Integrity; and Schedule D: Outside Employment and Integrity. In 2015, Council approved a revised Schedule C which addressed post-employment restrictions.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

The Code of Conduct for Employees will be amended to include Schedule E: Anti-Nepotism as an attachment. There is no change with regard to obligations, roles and responsibilities under the current Anti-Nepotism policy. The current Anti-Nepotism policy

approved by Senior Management Team in December, 2011, requires Council approval as a schedule under the City's Code of Conduct for Employees.

RELEVANT CONSULTATION

The Corporate Policy Review Group was consulted in the annual review of the Code of Conduct for Employees.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

Anti-Nepotism

Staff recommend that the Anti-Nepotism Policy be repositioned as a Schedule under the Code of Conduct for Employees for three primary reasons:

Higher Level Oversight - The Anti-Nepotism Policy was approved by Senior Management Team in 2011. Given the importance of anti-nepotism to employment-related decisions, the transparent conduct of our people leaders, and generating trust and confidence in the City, it is prudent to have this policy reviewed and approved by Council as a schedule within the Code of Conduct for Employees.

Fit - The Anti-Nepotism Policy was created to eliminate the influence of nepotism in City hiring and employment related decisions to maintain confidence in the integrity of the City's hiring and employment practices. The policy deals with conflicts of interest, personal interests, and relationships within the hiring process, and thus is closely aligned with, and fits under the Code of Conduct for Employees.

Importance - The inclusion of the Anti-Nepotism Policy under the Code of Conduct will heighten its importance within the corporation. As a part of the City's ethics program, there is much emphasis on annually communicating and reviewing the Code. The Code of Conduct policy is reviewed annually by the Corporate Policy Review Group and any changes are communicated, and all City employees are required to review and sign off on the Code of Conduct on a yearly basis.

Electronic Sign Off for Code of Conduct

The City has committed to ensuring that all employees review and sign off on the Code of Conduct on an annual basis. In 2015, obtaining sign off required supervisors and managers to meet with employees one on one, or in teams, to discuss the Code of

Conduct and then obtain sign off. Departments were required to keep a record of all sign off forms.

In 2016, Human Resources and IT have developed an online sign off for the Code of Conduct that has a number of benefits and improvements to meet our commitment. The electronic sign off allows employees to review and sign off at their own convenience. All sign off forms are documented to electronic file, giving Human Resources the ability to track sign off rates and produce completion reports for departments to ensure compliance.

As there are still segments of our employee population that do not have electronic access, Human Resources and IT are in the process of developing an electronic sign off tracking form that will allow those areas without access to input manual sign offs.

Code of Conduct Training

The City committed to the development of training for the Code of Conduct in the Management Action Plan in response to Internal Audit Report 2013-02 Corporate Ethics Review. Human Resources staff has developed a training video that will be rolled out to staff in July 2016 along with the electronic sign off. The training covers topics such as: workplace ethics and public sector ethics, and goes into more detail on employees' roles and responsibilities under the Code of Conduct.

The training has been developed as a video that can be accessed by staff at their convenience before signing the Code of Conduct. Human Resources staff is working with IT to develop a more interactive online training experience that will be delivered by 2017.

ALIGNMENT TO THE 2012 – 2015 STRATEGIC PLAN

Strategic Priority #3

Leadership & Governance - *WE work together to ensure we are a government that is respectful towards each other and that the community has confidence and trust in.*

APPENDICES AND SCHEDULES ATTACHED

Appendix "A" to HUR16017: Code of Conduct Schedule E: Anti-Nepotism