



CITY OF HAMILTON
City Manager's Office
Human Resources

TO:	Chair & Members Audit, Finance and Administration Committee
COMMITTEE DATE:	October 3, 2019
SUBJECT/REPORT NO:	Employee Code of Conduct Updates (HUR19022/AUD19009) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Aine Leadbetter (905) 546-2424 Ext. 6667 Brigitte Minard (905) 546-2424 Ext. 3107
SUBMITTED BY:	Lora Fontana Executive Director Human Resources Charles Brown City Auditor Audit Services
SIGNATURE:	

RECOMMENDATION(S)

- (a) That Council approve the inclusion of Schedule F: Interacting with the Office of the City Auditor (Appendix A to Report HUR19022/AUD19009) in the City's Code of Conduct for employees;
- (b) That Council approve the amended wording as highlighted in Schedule D: Outside Employment and Activity (Appendix B to Report HUR19022/AUD19009) in the City's Code of Conduct for employees.

EXECUTIVE SUMMARY

The City of Hamilton's Code of Conduct outlines the responsibilities and expectations of all City employees, with regard to conflicts of interest, outside activity and employment, anti-nepotism, business and financial integrity, and receipt of fees gifts and hospitality. The Code of Conduct is reviewed on annual basis to ensure that the policy remains relevant and up-to-date, and to provide an opportunity to adjust and amend as required.

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OUR Culture: Collective Ownership, Steadfast Integrity, Courageous Change, Sensational Service, Engaged Empowered Employees.

As a part of the 2019 Code of Conduct review, amendments have been made to Schedule D: Outside Employment and Activity, to include stronger language that prohibits City employees from participating in groups or engaging in hate activity that goes against City values and culture and is otherwise detrimental to our community.

In addition, amendments have been made in response to a Council Motion from February 13, 2019, directing staff to develop a policy or protocol to set out clear guidelines, expectations, responsibilities and obligations for City staff when responding to inquiries from the City of Hamilton Auditor General. In response, a new Schedule F: Interacting with the Office of the City Auditor, has been developed and appended to the existing Code of Conduct.

Alternatives for Consideration –Not Applicable

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: None

Staffing: None

Legal: None

HISTORICAL BACKGROUND

In February 2019, Council directed staff to develop a protocol or policy setting out clear guidelines, expectations, responsibilities and obligations for city staff when responding to inquiries from the City of Hamilton Auditor General and to append the Code of Conduct to all employment contracts for the City Manager, Directors, and General Managers. Following the motion, staff in the Office of the City Auditor worked with Human Resources to develop a new policy to meet the requirements of the motion.

In June 2019, Human Resources staff embarked on the annual review of the Code of Conduct policy. In response to recent activity within the community, a recommendation was made to amend Schedule D: Outside Employment and Activity, to include language to prevent City of Hamilton employees from engaging in outside activities that conflict with City culture values and are detrimental to fostering an inclusive environment.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

Once approved, the Code of Conduct document will be modified to include the new schedule and updated wording. Employees will be required to review the updated policy when released and going forward as a part of the annual review process.

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RELEVANT CONSULTATION

Human Resources staff conducted a best practice review and consulted with counterparts in other municipalities and levels of government in the development of Schedule F: Interacting with the Office of the City Auditor and amendments to Schedule D: Outside Employment and Activity.

The Office of the City Auditor was consulted specifically in the creation and review of Schedule F: Interacting with the Office of the City Auditor.

The City's Corporate Policy Review Group undertook the annual review of the Code of Conduct, and were consulted on Schedule F and the amendments to Schedule D.

The City's Senior Leadership Team (SLT) reviewed and provided feedback and direction on the amendments to the Code of Conduct.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

The Code of Conduct for City of Hamilton employees is one of the City's more important policies as it outlines the expected behaviours of all employees. All employees are required to review the Code of Conduct and indicate their understanding by signing off on an annual basis. In addition, the Code of Conduct is reviewed by Human Resources staff and the Corporate Policy Review Group on an annual basis to ensure that the policy remains relevant and up-to-date, and also to provide the opportunity to address any gaps that are identified.

The inclusion of the policy document outlining the expectations of engaging with the Office of the City Auditor and expectations with regard to involvement with hate groups in the Code of Conduct ensures that employees will review annually, and also ensures a formal policy review process. In addition, as the Code of Conduct is attached to all employee employment contracts, this ensures that all new employees will be aware of their obligations when beginning their employment with the City of Hamilton.

ALTERNATIVES FOR CONSIDERATION

None

ALIGNMENT TO THE 2016 – 2025 STRATEGIC PLAN

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APPENDICES AND SCHEDULES ATTACHED

Appendix A to Report HUR19022/AUD19009 Code of Conduct Schedule D: Outside Employment and Activity

Appendix B to Report HUR19022/AUD19009 Code of Conduct Schedule F: Interacting with the Office of the City Auditor

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