

Pilon, Janet

Subject: NPCA Code of Conduct Process

From: Misti Ferrusi <mferrusi@npca.ca>
Sent: February 13, 2020 1:01 PM
To: clerk@hamilton.ca
Cc: Chandra Sharma <csharma@npca.ca>
Subject: NPCA Code of Conduct Process

Good Afternoon

The NPCA Board of Directors has been working over the current term to enhance the transparency and accountability of the organization through good governance practices. One of the areas we are seeking to strengthen is the procedure with which the Board considers Code of Conduct complaints of its Members.

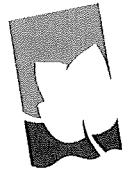
The attached report from the NPCA Governance committee lays out a consideration on dealing with Code of Conduct complaints for NPCA Board Members in a similar manner to which Code of Conduct complaints are handled at the Member's appointing Municipality.

To follow up with this direction, I am requesting a meeting with the relevant parties of your Municipality with myself and CAO Chandra Sharma to gain your feedback and insights into our proposed course of action.

Thank you for your consideration.

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Report To: Board of Directors

Subject: Code of Conduct

Report No: GC-18-19

Date: December 13, 2019

Recommendation:

1. **THAT** Report No. GC-18-19 RE: Code of Conduct **BE RECEIVED** for information.
2. **THAT** the Governance Committee **DIRECT** staff to proceed with conversations relating to Integrity Commissioner services with each of the appointing municipalities.

Purpose:

The purpose of this report is to provide the Governance Committee with further options for consideration regarding investigation of Code of Conduct complaints.

Background:

On October 22, 2019 the Governance Committee directed staff to enter into discussions with appointing municipalities regarding the handling of Code of Conduct complaints regarding board members appointed from that municipality to the NPCA board.

Discussion:

Board Members for the Niagara Peninsula Conservation Authority are bound by the NPCA Code of Conduct. Integrity Commissioners appointed by a municipality are retained in accordance with *The Municipal Act* to investigate alleged breaches of the Code of Conduct of that municipality's Code of Conduct. Further, the NPCA, by definition within Section 1(1) of *The Municipal Act*, the NPCA is not defined as a local board and therefore has no obligation to appoint an Integrity Commissioner and does not fall under jurisdiction of a municipal Integrity Commissioner.

In an effort to align procedures with appointing municipalities and exercise independence and accountability regarding Code of Conduct complaints regarding NPCA board members, the NPCA may enter into a separate agreement with the appointed Integrity Commissioner of each appointing municipality. Furthermore, through agreements with the appointing municipality, the parties can jointly provide the Integrity Commissioner with the ability to decide the jurisdiction of a complaint should it be submitted to one of the parties and act accordingly.

With the appointment of an Integrity Commissioner, the NPCA will be required to update by-laws to ensure all complaints are consistently handled in this manner. The NPCA will also be required to develop a public reporting system for alleged violations of the NPCA Code of Conduct.

Financial Implications:

Any alleged breach of NPCA Code of Conduct will incur costs at the rate of the appointed Integrity Commissioner.

Links to Policy/Strategic Plan:

The Board has been clear in their desire to be transparent, accountable and to work with integrity and honesty. This practice will aid in meeting these objectives.

Authored by:

Original signed by:

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Human Resources Manager

Submitted by:

Original signed by:

D. Gayle Wood, BES, CMMIII
Chief Administrative Officer/Secretary-Treasurer