




INFORMATION REPORT

TO:	Chair and Members Audit, Finance and Administration Committee
COMMITTEE DATE:	June 1, 2023
SUBJECT/REPORT NO:	Amendment to Code of Conduct Policy (HUR23009) (City Wide)
WARD(S) AFFECTED:	City Wide
PREPARED BY:	Katherin Platt (905) 546-2424 Ext. 3212
SUBMITTED BY:	Lora Fontana Executive Director Human Resources
SIGNATURE:	

COUNCIL DIRECTION

Not Applicable

INFORMATION

In response to the Confidential Fraud and Waste Investigation #31220 by the Office of the Auditor General, Human Resources committed to reviewing the Code of Conduct for Employees Policy (HR-01-09) and the related Schedules which include:

- Schedule A: Conflict of Interest
- Schedule B: Fees, Gifts and Hospitality
- Schedule C: Financial and Business Integrity
- Schedule D: Outside Employment and Activities
- Schedule E: Anti-Nepotism
- Schedule F: Interacting with the Office of the Auditor General
- Schedule G: Sharing of Consultant Reports with Identified Imminent Risks to Human Health or Safety

OUR Vision: To be the best place to raise a child and age successfully.

OUR Mission: To provide high quality cost conscious public services that contribute to a healthy, safe and prosperous community, in a sustainable manner.

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

The Code of Conduct and related Schedules have been simplified and language has been updated so that employees can better understand the City's expectations and their responsibilities. Changes to the Code of Conduct and related Schedules are outlined in Appendix "A" to Report HUR23009 and generally include:

- Removal of repetitive text to condense the length of the Policy and Schedules
- Updating the policy content to reflect new titles, (Office of the Auditor General rather than Office of the City Auditor), and to provide additional reference materials (i.e. the Social Media Policy, the Protection of Privacy Policy, and the Computer & Technology Acceptable Use Policy).
- Providing new, expanded, or updated definitions specific to more common issues and questions respecting the Code of Conduct policy (real and perceived conflicts of interest, pecuniary and non-pecuniary interests, gifts and hospitality, confidential information, fraud, and intellectual property)
- Clarification respecting employees selling goods and services to the City or bid on City contracts
- Added 'significant social relationships' to the conflict of interest provisions of the Policy in order to acknowledge that these relationships may pose a potential conflict, beyond family members,
- Clarification on circumstances for accepting fees, gifts, or hospitality, along with the associated dollar values and provide clarification as to when a Gifts & Hospitality Disclosure Form must be completed,
- Reinforcement that matters investigated by the Office of the Auditor General are confidential and employees are responsible for maintaining confidentiality during investigations to protect the objectivity and integrity of the process.

In addition to the amendments to the Code of Conduct and related Schedules, Human Resources has implemented a number of initiatives to reinforce adherence to the Policies, including the following:

- In January 2023, Human Resources began tracking and monitoring Code of Conduct disclosures of real or perceived breaches of the Policy and/or Schedules. The tracking tool will help to identify trends or issues, which will inform focused communication and education initiatives to help employees understand their responsibilities related to the Code of Conduct.
- In collaboration with the Communication Division, Human Resources will develop an informative Communication Strategy for employees regarding the changes to the Code of Conduct Policy and related Schedules, and to highlight common questions regarding the Policy and Schedules. Content will be shared on a regular basis via email and Howi and will be informed by trends or issues identified via the tracking

tool or issues that consistently arise through the CodeofConduct@hamilton.ca generic email box.

- Human Resources has also launched an online education module for all staff through the City's Learning Management System, My Learning Connection. The online training is required to be completed by all employees, with a completion deadline of December, 2023. The content includes a review of the Code of Conduct and related Schedules, as well as several scenarios where employees respond to questions to gauge their understanding of the content. Human Resources has also provided support to Training Coordinators/Administrators within the Divisions to deliver in-person Code of Conduct training to those employees who may not have access to the online training.
- Human Resources continues to offer an Ethical Leadership Program to help leaders learn how to demonstrate ethical behaviour and to create an open and transparent workplace where compliance with the City's Code of Conduct is encouraged. Additionally, a partnership between Human Resources and Procurement has been established to deliver focussed Ethical Practice Workshops in work areas where employees are more likely to encounter potential conflicts of interest by virtue of their professional responsibilities with the City.

APPENDICES AND SCHEDULES ATTACHED

Appendix "A" to Report HUR23009: Side-by-side comparisons of the current and new text of the Code of Conduct for Employees Policy and Schedules A-G