

2021 UBCM Resolutions



Conference decision: _____

Selected Issues

SR3 Strengthening Responsible Conduct

UBCM Executive

Whereas responsible conduct of elected officials, both individually and collectively as a Council or Board, is essential to sound and effective governance;

And whereas local governments are best served by tools and resources that reflect the legislative framework for local government in British Columbia, which is based on foundational concepts of autonomy, empowerment, accountability and collaboration:

Therefore, be it resolved that UBCM ask the provincial government to:

- Introduce a legislative requirement that all local governments in British Columbia must consider the adoption or updating of a Code of Conduct at least once early in each new term of office;
- Work collaboratively with UBCM and others to consider the design of a mandatory educational module that would support responsible conduct by local elected officials;
- Update the oath of office prescribed by regulation to embed the foundational principles identified by the Working Group on Responsible Conduct; and
- Provide guidance for local governments that have established an oath of office by bylaw so that these oaths may be updated with the same foundational principles for responsible conduct.

UBCM Resolutions Committee recommendation: **Endorse**

UBCM Resolutions Committee comments:

The Resolutions Committee advises that the UBCM membership has not previously considered a resolution requesting: a mandatory requirement for Councils and Boards to consider adopting a Code of Conduct; the design of a mandatory educational module that supports responsible conduct; or the embedding of the foundational principles that support responsible conduct in the prescribed oath of office or in guidance materials for local governments that have established a local oath of office.

The Resolutions Committee notes that issue of conduct by local elected officials is complex, and requires a multifaceted response in order to bring about substantive systemic change. The proposed actions within the Special Resolution provide incremental changes that would appear to align with the work that has been undertaken to date by the Working Group on Responsible Conduct (WGRC).

See also resolutions NEB1 and 2020-NR1

UBCM Executive comments:

Background

Local governments in British Columbia operate within a system of governance that is guided by the core concepts of autonomy, empowerment, accountability and collaboration. These concepts should be kept in mind as local governments consider potential solutions to strengthening the practice of responsible conduct by local elected officials.

The current broad legislative powers of local government in tandem with court decisions uphold the ability of local governments to manage the conduct of local elected officials. Local governments can adopt Codes of Conduct that include enforcement provisions, and appoint independent third parties to, as needed, investigate particular cases.

The UBCM Executive affirms the value of local governments taking ownership of tools that support responsible conduct. Codes of Conduct that have been developed and endorsed by Councils and Boards through discussion lead to a deeper shared understanding than those imposed externally. These important discussions also prepare the ground for the effective informal resolution of differences, which has been shown in local government experience to lead to more effective outcomes that formal processes of enforcement.

UBCM Policy Position

The Resolutions Committee notes that the membership endorsed a 2017 policy paper that set out a workplan for strengthening the framework that supports responsible conduct by local elected officials in BC. In response to the direction provided by the membership, the Working Group on Responsible Conduct has developed an integrated suite of resources, including:

- *Identification of foundational principles for responsible conduct;*
- *A model Code of Conduct and Guide;*
- *A database of consultants to advise communities when dealing with conduct issues; and*
- *A guide with procedural considerations for informal and formal approaches to dealing with matters of conduct, including considerations for the development of fair processes to enforce Codes of Conduct.*

Current Status

Delegates will note that there are indications from the membership that further resources are needed to support responsible conduct (as per resolutions NEB1 and 2020-NR1 that have been submitted by members for consideration this year).

It is the view of the UBCM Executive that new tools and resources should reflect the core concepts that guide the local government system in BC, so that autonomy, empowerment, accountability and collaboration are upheld. The Executive believes that the incremental steps proposed in this Special Resolution build upon the tools and powers already available to local governments, and if implemented, will deepen the common understanding of the foundational standards that support good governance, and the overall practice of responsible conduct by local elected officials in BC.

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