

THE CORPORATION OF THE TOWNSHIP OF SOUTH STORMONT

BY-LAW NO. 2019-096

BEING

a by-law to adopt a Fire and Rescue Code of Conduct and Ethical Standards Policy.

WHEREAS

the *Municipal Act, 2001*, c. 25 s. 5 (1) provides that the powers of a municipal corporation are to be exercised by its council;

AND WHEREAS

the *Municipal Act, 2001*, c. 25 s. 5 (3) provides that the powers of every council are to be exercised by by-law;

AND WHEREAS

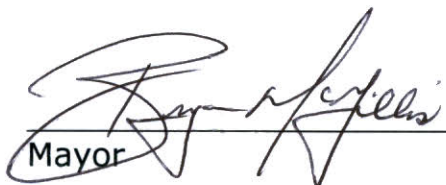
Council of the Corporation of the Township of South Stormont deems it necessary to adopt a Fire and Rescue Code of Conduct and Ethical Standards Policy.

NOW THEREFORE

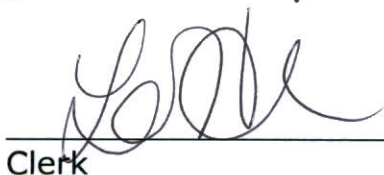
the Council of the Corporation of the Township of South Stormont hereby enacts as follows:

1. That the Fire and Rescue Code of Conduct and Ethical Standards Policy, attached hereto as Schedule "A" and forming part of this By-law be adopted.
2. That this by-law shall come into effect and force on October 23, 2019 at which time all other by-laws inconsistent with this by-law are hereby repealed.

READ AND PASSED in open Council, signed and sealed this 23rd day of October, 2019.



Mayor



Clerk

**THE CORPORATION OF THE TOWNSHIP OF SOUTH STORMONT
("THE TOWNSHIP")**

**SOUTH STORMONT FIRE AND RESCUE
CODE OF CONDUCT AND ETHICAL STANDARDS**

1. PURPOSE

To establish a Code of Conduct aimed at clarifying expectations and standards for members of South Stormont Fire and Rescue while serving as a Firefighter. This Code of Conduct requires that all members of South Stormont Fire and Rescue conduct themselves with a high level of professionalism and personal integrity.

2. DEFINITIONS

"Conflict of Interest" means any circumstance in which:

- a Member or a Relative of a Member has a direct or indirect pecuniary interest in a Department decision, proposed decision, or action(s) taken by the Department or individual Members; and
- the Member could possibly influence the decision made or action(s) taken by the Department or individual Members.

"Department" means the South Stormont Fire and Rescue

"impairment" or "impair" means a state of diminished abilities or functioning as a result of the consumption of drugs, whether recreational or prescribed, legal or illegal, or alcohol. Signs of impairment may include glassy or red eyes, unsteady gait, slurring and poor coordination.

"under the influence" means a state of being affected by the presence of drugs or alcohol in one's body.

"Member" means any person employed in, or appointed to, the South Stormont Fire and Rescue Department.

"Relative" shall include immediate family; i.e., spouse (includes common-law or same sex), mother, father, sons, daughters, brothers, sisters and in-laws (i.e. mother-in-law, father-in-law, sons-in-law, daughters-in-law, brothers-in-law and sisters-in-law.)

"Township" means the Township of South Stormont.

3. SCOPE

This Code of Conduct applies to a member's conduct on-duty and may be applicable to a member who is off-duty if the conduct has a connection to the member's official duties. This policy is applicable regardless of whether the misconduct occurred in-person or through some other means, such as social media.

4. POLICY STATEMENT

This Code of Conduct sets out the Department's minimum standards of conduct. The nature of firefighting and emergency services work places all members in a position of public trust. As a result, members are subject to public scrutiny. The level of conduct should be beyond reproach, regardless of work status or location. All members must strive to achieve the highest level of ethical and professional conduct necessary to maintain the integrity of the individual members, the Department and the Township.

This Code of Conduct is not intended to be a complete guide to all ethical questions or dilemmas that a member may face. Just because an unethical or questionable action is not specifically addressed in this Code does not mean that such conduct is permitted. Rather, members should be guided by the expectations of professionalism and personal integrity in all that they do.

5. GENERAL EXPECTATIONS

All members are expected to:

- be accountable for their own actions and for the wellbeing of other members;
- maintain knowledge of applicable laws or policies and perform assigned tasks adhering to said laws and policies;
- meet standards associated with the member's rank, grade, or position.
- comply with Township or Department policies which may include, but are not limited to: Township Policies, Department orders, directives and the Department's Standard Operational Guidelines.

- maintain or renew required licenses and/or certifications associated with the member's rank, grade, or position;
- report any charges against a member for an offence under the Criminal Code of Canada;
- be responsible for the care and condition of Department uniforms, equipment and personal equipment issued to them. Members will sign acknowledging receipt of same and will return all items in their possession upon departure from the Department;
- keep Fire Stations clean and orderly. Department meetings, training or Association meetings shall be permitted in any Fire Station. For the purpose of scheduling other events such meetings will be scheduled through an authorized Township employee.

6. RESPECTFUL WORKPLACE

- Members are expected to perform their duties in a manner that is helpful, respectful, courteous, and that respects the dignity and diversity of colleagues and residents. Members must recognize that they are seen as representatives of the Department, the Township, and fire services in general. Members should strive to conduct themselves in a manner that strengthens public confidence in all three bodies.

7. CHAIN OF COMMAND

Members may not engage in conduct, through actions or words, which are disrespectful to, or that otherwise undermine the authority of a supervisor or the chain of command. Members shall comply with the chain of command and shall obey any lawful order issued by anyone in a superior position authorized to be in command.

If a member is given an order that conflicts with an existing order, the member shall notify the superior of the latter order. If that order is repeated, it will stand. A member shall not obey any order which they reasonably believe to be immoral, unsafe, or illegal and shall immediately report this concern to the Fire Chief, or alternatively, the Township's CAO.

8. CONFLICTS OF INTEREST

Members must disclose and take reasonable steps to avoid any conflict of interest (real or apparent) in connection with their employment or engagement with the Department.

Members are required to notify their supervisor when they become aware or ought to reasonably be aware of circumstances that create a real, apparent, or potential conflict of interest with themselves or member.

Upon being notified of a real, apparent, or potential conflict of interest, the Fire Chief will assess the situation and determine whether a real, apparent, or potential conflict of interest exists. Where it is determined that such a conflict exists, the Fire Chief shall implement appropriate measures to prevent or eliminate the conflict.

If the member in question is the Fire Chief, notification shall be to the Township's CAO.

8.1 Department Time and Assets

Township and/or Department property shall not be used by Members for personal use or personal gain unless through prior approval of the Fire Chief. This includes but is not limited to the use of departmental identification cards, badges, uniforms, insignia, facilities or equipment.

No Member may borrow, lend or remove any Department equipment without the express permission of the Fire Chief.

Members may not use their position within the Department to endorse or advertise any product, service or company.

Any member finding or receiving valuables or other items at the scene of a fire (or during their duties) shall immediately turn such items over to, or notify, the Fire Chief.

8.2 Gifts/Benefits

Members are expected to make decisions based on impartial and objective assessments of each situation, free from influence of any gifts, favours, or benefits that may be offered. Members are therefore prohibited from soliciting, accepting, offering, or agreeing to accept any gift or benefit, including a gift or benefit to a Relative of the member that is connected

directly or indirectly with the performance of the member's duties or that could reasonably be construed as being given in anticipation of future, or recognition of past, "special consideration".

8.3 Political Activity/Community Activity

To ensure public trust, Members must be, and appear to be, impartial and free of undue political influence in the exercise of their official duties. Members engaged in political activities must take care to separate those personal activities from their official positions.

Except for the Fire Chief, Members may run for Council of the Township, in accordance with provisions of the *Municipal Elections Act*. Members may become involved in other municipalities' elections as well as Provincial and Federal elections in accordance with applicable law.

8.4 Fraud/Breach of Trust

Members shall not engage in behaviour that is fraudulent or that constitutes a breach of trust with the Department. Such conduct includes but is not limited to:

- using deceit to gain a personal advantage, pecuniary interest or benefit for oneself or Relative;
- illegally obtaining money, including the solicitation or acceptance of bribes or favours;
- intentionally providing false or incomplete information to or withholding information from a supervisor;
- planning or participating in the theft of Department or Township property or time, or the use of said property or time to aid or conduct a theft of any kind;
- inappropriate personal use of or intentional damage of Department or Township property;
- undertaking any other illegal activity.

Fraud and/or breach of trust by members is considered a major form of misconduct.

9. CONFIDENTIAL INFORMATION

Members shall not supply information which may be of a sensitive or confidential nature, relating to the Department, to any person, including any member of the press, unless authorized by the Fire Chief. If a Member is uncertain as to whether information may be of a sensitive or confidential nature, he/she shall discuss the matter with the Fire Chief before any disclosure is made.

Some examples of confidential information include:

- Items under litigation;
- Personnel matters;
- Information which infringes upon the right of privacy of another (including details of incidents requires the aid and services of the Department);
- Sources of complaints about a variety of matters where the identity of the complainant is given in confidence;
- Information about suppliers which might be useful to competitors
- Items under negotiation;
- Information supplied in support of license applications, etc., where such information is not part of public documentation;
- Schedule of prices in contract tenders'

10. SOCIAL MEDIA

Members will keep personal social media activity and work separate. Posting to any online media outlet by members that reference the Department or the Township (including but not limited to either organizations' employees, affiliated groups, policies, internal operations or daily activities) may result in disciplinary action.

Members are liable for anything they write or present online. As such, members can be disciplined for comments, content or images that are

inappropriate, including those that are defamatory, derogatory, pornographic, harassing, damaging to the employer's reputation or that can create a hostile work environment or disclose proprietary, confidential, or private information.

When preparing information for use on the Corporate social media accounts members must adhere to all applicable policies, including:

- The Herein Code of Conduct
- Township Workplace Violence and Harassment Policy
- Township Information Technology Policy
- Township Mobile Device Policy

11. DRUGS/ALCOHOL

Members shall not consume alcohol or use prescription or non-prescription drugs that may impair the member's ability to perform the required duties while on duty.

Members shall not respond to an emergency, attend a training session, or perform an assigned duty or any other department function/activity when under the influence of any drug (including alcohol) that may impair the member's ability to perform the duties.

If a member:

- is required, due to a medical condition, to consume a prescription medication that can impair his/her ability to perform his/her duties;
- suffers from an addiction to any drug (including alcohol) that can impair his/her ability to perform his/her duties;

he/she is required to notify the District Chief or Fire Chief in advance of the performance of any duties. This advance disclosure is required due to the safety-sensitive nature of the member's duties.

Where such advance disclosure is made, the Department will work with the member in an accommodation process to assist the member in performing his or her duties in a safe and effective manner.

Where such disclosure is not made in advance and the member is discovered to have performed or attempted to perform duties while under the influence of any substance that could cause impairment, the member may be disciplined (up to and including termination with cause) for having failed to adhere to the disclosure requirements of this Code of Conduct and the inherent safety risks that can arise as a result.

12. DISCLOSURE/REPORTS

Whenever a member considers that he or she could be involved in a conflict of interest, whether real, perceived, or potential, or in any matter that may result in a breach of this Code of Conduct, the member shall immediately disclose the situation to his or her District Chief in writing.

Whenever a member witnesses or suspects that another member is in a conflict of interest or otherwise in breach of this Code of Conduct, he or she is obliged to report the issue in writing to his or her District Chief.

In all cases, the District Chief shall be obligated to notify the Fire Chief of the disclosure/allegation.

In cases where the District Chief is the person alleged to have conducted the inappropriate behaviour, the member shall report the issue to the Fire Chief. In cases where the Fire Chief is the person alleged to have conducted the inappropriate behaviour, the member shall report the issue to the Township's CAO.

Members shall be protected from any form of reprisal for reporting improper behaviour; however, false and malicious complaints may be grounds for discipline up to and including termination for cause.

13. INVESTIGATION

Upon receipt of an allegation that this Code of Conduct has been contravened, the Fire Chief (or CAO) in consultation with the District Chief of the member at issue shall determine the form of investigation to be

conducted. Depending on the nature and severity of the alleged breach of conduct, the Department may decide to undertake a formal investigation using either internal or external resources.

During the course of the investigation, the member concerned may be removed from the workplace on a leave of absence. However, the member will have the opportunity to respond to the alleged breach of conduct during the course of the investigation.

14. DISCIPLINE

Any contravention of this Code is grounds for discipline up to and including termination for cause in accordance with the Township's Human Resources Policy.

DECLARATION

I hereby declare that I have read and understand the South Stormont Fire and Rescue Code of Conduct and Ethical Standards and understand the consequences, or potential consequences, associated with a breach of this Code.

Member's Signature

Fire Chief's Signature

Date

Date