

The Lethbridge Police Commission’s (LPC) standards of conduct are set out herein to ensure all reasonable steps are taken by the LPC to provide the independent governance oversight and accountability needed. This Code of Conduct / Conflict of Interest policy will assist the LPC in achieving this purpose by articulating the: rules of conduct; responsibilities of Commissioners in carrying out their duties; guidelines which assist Commissioners to recognize, avoid, and deal with conflict of interest situations; and, rules under which Commissioners shall govern themselves with regards to confidential matters.

1) General Duties of Commissioners:

- a. Perform their official duties and functions and arrange their private affairs in such a manner that public confidence and trust in the integrity, objectivity, and impartiality of the Lethbridge Police Commission are maintained and enhanced; and will bear close public scrutiny. All Commissioners will abide by their Oath of Office.
- b. Recognize that the function of the Lethbridge Police Commission is, at all times, service to its community and the public.
- c. Govern their conduct in accordance with the requirements and obligations set out in the *Province of Alberta Police Act and Police Service Regulations*, and the bylaws and policies of the City of Lethbridge.
- d. At all times conduct themselves at the highest standard on both a personal and professional level. Commissioners are respectful and courteous of other Commissioners, Commission staff, members of the Lethbridge Police Service, and the public in order to demonstrate the values of the Lethbridge Police Commission, retaining the trust, respect and the confidence of the public.
- e. All actions will respect the dignity of individuals in accordance with:
 - i. *Alberta Human Rights, Citizenship and Multiculturalism Act*
 - ii. *Canadian Charter of Rights and Freedoms, and*
 - iii. *Freedom of Information and Protection of Privacy Act*
- f. The Lethbridge Police Commission speaks with one voice on behalf of the Commission as a whole. All decisions of the Commission must be respected by Commissioners.

2) Commissioners shall not:

- a. Speak in a manner that is discriminatory to any individual referencing characterizations such as race, religious beliefs, colour, gender, physical or mental ability, age, ancestry, place of origin, marital status, source of income, family status or sexual orientation.
- b. Involve themselves in matters of the Lethbridge Police Service which fall within the jurisdiction of the Chief of Police; use, or attempt to use, their authority to interfere or attempt to interfere in the Chief of Police’s duties.
- c. Maliciously or falsely injure the reputation of the Lethbridge Police Commission, Lethbridge Police Service, City of Lethbridge or its employees.
- d. Directly, or indirectly request, induce, encourage, or aid City Administration to do something which, if done by that person, would be a breach of the Code of Conduct.

3) Responsibilities of the Commission:

- a. Carry out responsibilities in accordance with all applicable legislation, the Police Commission Bylaw, Council Code of Conduct Bylaw, Procedure Bylaw, and policies.
- b. Make a recommendation to the Lethbridge City Council to remove any Commissioner who is not complying with this policy.
- c. Commissioners have no individual authority over the Chief of Police or any other Lethbridge Police Service members.
- d. Commissioners who wish to communicate with members of the Lethbridge Police Service, seeking information and/or statistics or on business matters, will do so through the Chief of Police or their designate.
- e. Appoint Commissioners to standing committees of the Commission, as required.

4) Responsibilities of the Chair:

- a. Act as the spokesperson for the Lethbridge Police Commission.
- b. Participate in the review and selection of Commissioners as outlined in the Procedure Bylaw and associated policies
- c. Report to the Lethbridge City Council on any Commissioner who is not complying with this policy.
- d. Assist a Commissioner to determine whether a situation in question constitutes a conflict of interest.
- e. Determine whether gifts and benefits received by a Commissioner are acceptable.
- f. Receive any alleged confidentiality breach and follow the process outlined in Section 8.

5) Responsibilities of Commissioners:

- a. Receive a copy of this Code of Conduct / Conflict of Interest policy and complete a Declaration that they agree to the standards described here.
- b. Submit the completed Declaration to the City Clerk.
- c. Not speak on behalf of the Commission unless authorized to do so.
- d. Attend orientation, education and training opportunities that may be provided for them to assist in carrying out their duties.
- e. Comply with the rules of disclosure of confidential information.

6) Responsibilities of the Administrative Support:

- a. Coordinate the recruitment and appointment of individuals to the Commission.
- b. Ensure the Oath of Office is completed before the first meeting of a new Commissioner.
- c. Retain the completed Declarations of Commissioners appointed to the Commission.
- d. Coordinate the orientation of new Commissioners.

7) Conflict of Interest:

A Commissioner has a conflict of interest when the Commissioner exercises an official authority, or performs an official duty or function, in the execution of their office while knowing that in doing so there is the opportunity to further the Commissioner's own interest.

A Commissioner has an apparent conflict of interest where there is a perception, which a reasonably well-informed person could properly have, that a Commissioner's ability to exercise official power or perform an official duty must have been affected by the Commissioner's private interest.

Conflicts of interest can be, but are not limited to:

- Personal interests (financial or other)
- Professional/occupational (financial or other)
- Interest that may or appear to affect their objectivity
- Interests that may or appear to affect their judgement
- Interests that may or appear to affect their ability to act in the best interest of the Commission
- Actions that would or appear to compromise or undermine the trust which the public places in the Commission

Conflicts of interest brought to the attention of the Chair must be resolved in a manner that conserves and enhances public confidence and trust in the integrity, objectivity and impartiality of the Lethbridge Police Commission.

- a. Commissioners, personally or in relation to their colleagues, must declare all potential or perceived conflicts of interest. Commissioners who declare a conflict will exclude themselves from discussion and voting on the matter.
- b. If a Commissioner is in doubt about whether any situation involves a conflict of interest the Commissioner must seek guidance from the Lethbridge Police Commission's Chair at the earliest possible opportunity. The Chair will then raise the question with the Commission in a Closed Session meeting. The Commission may offer advice to the individual in the Closed Session. Ultimately, it is the decision of the individual to determine if there is a conflict of interest.
- c. Should the individual determine that a conflict of interest exists, then the following steps should be taken:
 - i. If a conflict of interest is declared outside of a meeting of the Commission, then the Commissioner must formally, in writing, declare the conflict of interest stating the reason to the Chair, and must abstain from any discussion and voting related to the matter and from attempting to influence a vote on the matter
 1. A Commissioner's conflict of interest Declaration must be recorded in the minutes of the meeting.
 - ii. If a conflict of interest is declared during a meeting of the Commission, then the following steps will be taken:
 1. The Commissioner must leave the room in which the meeting is being held and not return to the meeting until all discussion and voting to the matter are concluded, and
 2. The Commissioner's conflict of interest Declaration must be recorded in the minutes of the meeting
 - iii. If during a meeting, a Commissioner believes another Commissioner to be in a conflict of interest he/she must raise the question immediately to the Chair. The Chair will declare a recess and request the Commission enter in to a Closed Session to discuss the matter.

- iv. If a Commissioner believes that another Commissioner is in a conflict of interest, then that Commissioner must inform the Chair at the earliest possible opportunity.
 - v. If a Commissioner believes that the Chair is in a conflict of interest, then that Commissioner must inform the Vice-Chair at the earliest possible opportunity.
 - d. Conflicts brought to the attention of the Chair must be resolved in a manner that conserves and enhances public confidence and trust in the integrity, objectivity, and impartiality of the Lethbridge Police Commission.
 - e. All conflicts and actions taken regarding the conflict must be entered into the minutes of the Lethbridge Police Commission.
 - f. Undisclosed conflict of interest may result in dismissal from the Commission, as per the final decision of the Lethbridge City Council.
- 8) Confidential Information:
 - a. Commissioners must not disclose sensitive or confidential information (verbal or non-verbal) by any means unless the Commissioner is authorized to do so by law or in accordance with the *Freedom of Information and Protection of Privacy Act*, R.A.S. 2000, c.F-25, any associated regulations, or any amendments or successor legislation. This includes information received electronically and/or hardcopy.
 - b. Commissioners must not use sensitive or confidential information acquired during their appointment to the Commission for their personal use or gain, or for the personal use or gain of their family, friends or associates. Breaches may be cause for dismissal from the Commission.
 - c. Commissioners must not use sensitive or confidential information following the completion of their term on the Commission for their personal use or gain, or for the personal use or gain of their family, friends or associates.
- 9) Acceptance and Disclosure of Gifts and Benefits:
 - a. Commissioners must not solicit a gift or benefit by virtue of their position on the Commission for their personal use, or for the personal use of their family, friends or associates.
 - b. Commissioners must not accept a gift or benefit, that is connected directly to their duties as a Commissioner.
 - c. Gifts or benefits, that are connected directly to a Commissioner's duties, must be disclosed to the Chair at the earliest possible opportunity.
- 10) Conduct in Meetings:
 - a. Commissioners must be aware of the Commission's mandate.
 - b. Commissioners must conduct themselves in accordance with established policies and procedures while attending meetings.
 - c. Commissioners must prepare for and attend all meetings, participate in discussions and exercise their voting rights, except for meetings where approval for absence was granted by the Chair, or where the Commissioner is required to take a leave of absence. Non-attendance at three (3) consecutive meetings shall be cause for dismissal from the Commission, unless such absence is authorized by resolution of the Commission and recorded in the minutes.

11) Use of City of Lethbridge Property, Technology and Resources:

- a. Commissioners shall use City property, equipment, services, supplies and staff resources only in the performance of their duties.
- b. City property, equipment, services, supplies and staff resources that are available to the general public may be used by a Commissioner for personal use upon the same terms and conditions as a member of the general public, including booking and payment of any applicable fees and charges.
- c. Commissioners must not use City property, equipment, services, supplies and staff resources for personal gain, or for the gain of family, friends or associates.
- d. Commissioners must return all property, equipment, services, supplies and staff resources upon completion of their term.

12) Political Activity:

- a. Commissioners must not use City property, equipment, services, supplies and staff resources for political activity, either for themselves or others.

13) Breaches:

- a. Any alleged breach of this Code of Conduct / Conflict of Interest must be reported in writing to the Chair. In the case that the alleged breach is related to the Chair, then it must be reported to the Vice-Chair.
- b. Where an allegation breach is reported to the Chair or Vice-Chair, the following actions will be taken:
 - i. Provide the Commissioner, whose conduct is alleged to have breached the Code of Conduct / Conflict of Interest, with the case against them in writing, along with an opportunity to respond in writing
 - ii. Considering only the written allegations against the Commissioner and their written response, make a determination in writing as to whether the Code of Conduct / Conflict of Interest has been breached.
- c. Where the Chair has determined that the Code of Conduct / Conflict of Interest had been breached, the Chair and/or Vice-Chair may add the issue of the breach to the Closed Session portion of the Agenda of the next scheduled meeting of the Commission, or call a special meeting.
- d. If warranted the Commission as a whole, may direct the Chair or Vice-Chair to bring forward a written report to the Lethbridge City Council. The report will be forwarded to the Closed Session portion of the City Council Agenda, and must include the following:
 - i. Written allegations, and the Commissioner's response
 - ii. Findings of the Chair and a copy of the relevant minutes
 - iii. The Commission's recommendations to Lethbridge City Council, and
 - iv. The subject Commissioner's written submission responding to the Commission's recommendation, unless they had declined to make a submission
- e. Having regarded only the written reports, if Lethbridge City Council is satisfied that a breach of the Code of Conduct / Conflict of Interest occurred, City Council may by resolution:
 - i. Suspend the Commissioner for a period of time deemed appropriate by City Council
 - ii. Revoke the Commissioner's appointment on the Lethbridge Police Commission

References:

- City of Lethbridge Public Member Code of Conduct Bylaw 6203 (December 14, 2020)
- City of Lethbridge Code of Conduct Bylaw 6125 (July 23, 2018)
- City of Lethbridge Procedure Bylaw 5411 (December 14, 2020)
- City of Lethbridge Police Commission Bylaw 5969 (December 22, 2020)
- Lethbridge Police Commission Policy and Procedure Manual: 2.3 Commission Member Conduct, and 2.4 Conflict of Interest (March 2018)
- Solicitor General Policy Manual: 2.4 Commission Member Conduct, and 2.5 Conflict of Interest (March 2009)
- Taber Municipal Police Commission Policy Manual: 2.4 Commission Member Conduct, and 2.5 Conflict of Interest, and Appendix C (January 2018)
- Edmonton Police Commission Policy Manual: Appendix C (March 2021)
- Lethbridge Police Service Policy Manual: Conflict of Interest and Ethics (October 2017)