

Council Policy

Policy Title: Councillor Conduct in Other Wards Policy
Policy Number: Assigned by the City Clerk's Office
Report Number: PFC2020-1378
Adopted by/Date: Council / Date Council policy was adopted
Effective Date: Date adopted or later as directed by Council
Last Amended: N/A
Policy Owner: Integrity and Ethics Office

1. PURPOSE

The Policy provides direction to Councillors in relation to their activities or involvement in another Councillor's ward.

The Policy reflects and balances two central principles of City governance: 1) a Councillor governs in the interests of the municipality as a whole; 2) a Councillor must be able to represent the interests of his or her ward fully and effectively. The specific provisions in the Policy should be understood in light of these governing principles, as well as in light of the explanations set out in the Report.

Failure to follow the Policy could lead to a complaint about the Councillor to the Integrity Commissioner. Where a Councillor is uncertain as to the scope and application of the Policy, they are encouraged to seek confidential advice from the Ethics Advisor.

2. DEFINITIONS

In this Council Policy:

- a. "Outside Councillor" means a Councillor attending, communicating or otherwise dealing with, a ward, or residents of a ward, other than the one that Councillor was elected to represent.
- b. "Representing Councillor" means a Councillor elected to represent the ward and residents of the ward the Outside Councillor is attending, communicating or dealing with.

3. APPLICABILITY

The Policy applies from the beginning of the *campaign period* as defined in the *Local Authorities Election Act*, RSA 2000, c L-21 until election day, except to the extent that specific provisions in this Policy direct otherwise.

4. PROCEDURE

Part One: Local or Ward-Specific Public Events

1. This Part applies only to Local or Ward-Specific Public Events.
2. Local or Ward-Specific Public Event means a public event, meeting, town-hall, discussion or like gathering involving matters or issues that have no material impact outside ward boundaries.
3. An Outside Councillor must inform the Representing Councillor when attending a Local or Ward-Specific Public Event.
4. The Outside Councillor must, where necessary to avoid confusion, make it clear that they are attending the Local or Ward-Specific Public Event as an observer, and not as the ward representative.
5. Where a constituent at the event raises concerns about local or ward-specific issues with the Outside Councillor, the Outside Councillor will refer those concerns to the Representing Councillor where doing so would assist the Representing Councillor to discharge his or her representative function.
6. Where a constituent at the event asks for assistance with local or ward-specific issues, the Councillor must refer the constituent to the Representing Councillor, subject to Part Six: Communication.

Part Two: City or Ward Governance Private Events

1. This Part applies only to City or Ward Governance Private Events.
2. City or Ward Governance Private Event means an event to which the public is not invited, that occurs in the ward of a Representing Councillor, and which addresses or discusses matters of city or ward governance.
3. An Outside Councillor will not attend a City or Ward Governance Private Event without the permission of the Representing Councillor.
4. If an Outside Councillor does attend a City or Ward Governance Private Event, and a constituent at the event raises concerns about local or ward-specific issues with the Outside Councillor, the Outside Councillor will refer those concerns to

the Representing Councillor where doing so would assist the Representing Councillor to discharge his or her representative function.

5. If an Outside Councillor does attend a City or Ward Governance Private Event, and a constituent at the event asks for assistance with local or ward-specific issues, the Councillor must refer the constituent to the Representing Councillor, subject to Part Four: Communication.

Part Three: Outside Councillor Campaigning

1. An Outside Councillor may only engage in activities such as visiting residences, sending mail outs, or otherwise communicating with constituents they do not currently represent, but is or will be seeking to represent, in accordance with legislation and policies governing election activities, and in particular the Code of Conduct for Elected Officials Bylaw (26M2018) (Code of Conduct Bylaw).
2. If during the course of these campaign activities, a constituent raises concerns about local or ward-specific issues with the Outside Councillor, the Outside Councillor will refer those concerns to the Representing Councillor where doing so would assist the Representing Councillor to discharge his or her representative function.
3. If during the course of these campaign activities a constituent requests assistance with local or ward-specific issues, the Councillor must refer the constituent to the Representing Councillor, subject to Part Four: Communication.
4. Prior to the *campaign period* defined in the Code of Conduct Bylaw, the Outside Councillor must inform the Representing Councillor about any campaign activities in the Representing Councillor's ward.

Part Four: Communication

1. A Councillor may respond to or provide assistance to any Calgarian on issues, matters or concerns with implications that are city-wide or extend beyond the boundaries of a given ward, or that arise out of the Councillor's official role on City Committees or outside bodies (such as the Calgary Police Commission or the Enmax Board).
2. Where an Outside Councillor is asked to assist with a local or ward-specific matter, the Outside Councillor will first refer the requestor to the Representing Councillor.

3. If the requestor has already contacted the Representing Councillor, the Outside Councillor may consider assisting the requestor on a local or ward-specific matter.
4. An Outside Councillor will only assist with a local or ward-specific matter where the Outside Councillor determines, based on discussion with the requestor and an independent assessment of the circumstances, that there is good reason to do so.
5. A good reason for an Outside Councillor to provide assistance on a local or ward-specific matter would involve an unexplained or unjustified refusal of the Representing Councillor to assist the requestor, an undue delay in the Representing Councillor's response, or something equivalent thereto. A good reason would not include that the constituent or Outside Councillor simply did not agree with the response of the Representing Councillor.
6. The Outside Councillor will inform the Representing Councillor that they are assisting the requestor. If the Representing Councillor at any point indicates a willingness to assist the requestor, the Outside Councillor will re-assess whether there is a good reason to continue to do so.
7. The Outside Councillor's assistance must be provided in accordance with the City protocols and practices governing Councillor assistance to constituents.

5. **AMENDMENT**

Date of Council Decision	Report/By-Law	Description

6. **REVIEW**

Date of Policy Owner's Review	Description