

Integrity and Ethics Office Report to
Executive Committee
2023 October 11

ISC: UNRESTRICTED
EC2023-1124

Anti-Racism Training and the Code of Conduct for Elected Officials Bylaw (26M2018)

PURPOSE

To provide recommendations to amend the *Code of Conduct for Elected Officials Bylaw* (26M2018) ("*Code of Conduct*") to include anti-racism training.

PREVIOUS COUNCIL DIRECTION

On May 9, 2023, Council directed Administration to "explore updating any necessary Council bylaws to include anti-racism training and status update as mandatory yearly learning for Council and report back with recommendations to Executive Committee in Q4 2023".

RECOMMENDATION:

1. That the Executive Committee recommend that Council give three readings to the proposed Bylaw to amend the *Code of Conduct for Elected Officials Bylaw* (26M2018), outlined in Attachment 1.
2. That the Executive Committee direct the Ethics Advisor to implement the anti-racism training plan.

RECOMMENDATION OF THE EXECUTIVE COMMITTEE, 2023 OCTOBER 11:

That Council give three readings to **Proposed Bylaw 51M2023** to amend the Code of Conduct for Elected Officials Bylaw (26M2018), outlined in Attachment 1.

HIGHLIGHTS

- Council directed that Administration use the *Dismantling Systemic Racism, Transforming Lives: City of Calgary Anti-Racism Strategic Plan (2023-2027)* as the roadmap for continuing work to dismantle systemic racism.
- Council directed Administration to explore updates to Council bylaws to include anti-racism training and report back to Council. The Anti-Racism Program and the Ethics Advisor collaborated on the recommendations.
- Recommendation 1: to amend the *Code of Conduct* to mandate anti-racism training facilitated by the Ethics Advisor. This will build awareness, knowledge skills on racial justice and anti-racist leadership. In addition, the amendment imposes a duty on Members of Council ("Members") to educate themselves about the impact of systemic racism and racial discrimination on Indigenous, Black and diverse Racialized Calgarians.
- Recommendation 2: that Council direct the Ethics Advisor to implement the training plan in this report. The plan is yearly in-person training, and ongoing customized training throughout the year, which is tailored to the nature of Members' duties.

DISCUSSION

The City's Anti-Racism Program and Ethics Advisor collaborated to respond to Council's direction to explore updates to Council bylaws to include anti-racism training. Since the recommendations include amendments to the *Code of Conduct*, the Integrity and Ethics Office has led in preparing this report.

Anti-Racism Training and the Code of Conduct for Elected Officials Bylaw (26M2018)

The Strategic Plan is the collective voice of employees and Indigenous, Black and diverse Racialized Calgarians. This roadmap provides clear direction on how leaders and staff can work strategically to implement anti-racism actions. This signifies that The City is on the journey to dismantling systemic racism and transforming lives.

The primary avenue to implement anti-racism training for Council is via the Integrity and Ethics Office. This report makes two recommendations to promote such training:

- (1) Amendments to the *Code of Conduct*; and
- (2) A training plan.

The report also provides an update about Integrity Commissioner communications with City employee complainants.

Amendments to the Code of Conduct

We recommend two amendments to the *Code of Conduct*:

- (1) Addition of a new provision:

s.10.1 All *Members* have a duty to educate themselves on the impact of systemic racism and racial discrimination on Calgarians. The *Ethics Advisor* will provide mandatory anti-racism training to Council.

- (2) Amendments to s. 19:

Current provision	Proposed amendment (changes underlined)
19. A <i>Member</i> must communicate with <i>Members</i> of the public, one another, and with <i>City</i> employees and <i>Members'</i> staff respectfully, without abuse, bullying, intimidation, harassment or discrimination.	19. A <i>Member</i> <u>must treat</u> <i>Members</i> of the public, one another, <i>City</i> employees and <i>Members'</i> staff respectfully, without abuse, bullying, intimidation, harassment or discrimination.

The purpose of adding section 10.1 is to embed anti-racist learning and leadership into Council ethics and to make anti-racism training mandatory. A training plan is detailed in the next section.

Racial discrimination is addressed in section 19 concerning respectful interactions. Discrimination refers to a distinction in treatment that perpetuates, reinforces or exacerbates disadvantage on the basis of personal characteristics, such as race. Section 19, therefore, can be understood to prohibit Council conduct that would negatively impact a person or group on the basis of, among other things, race.

Systemic Racism is a broader phenomenon than racial discrimination. It refers to a structured system that equips a racial group with the power to dominate others in social, political, and economic areas over time and generations. This is often reflected in policies, programs, and practices that favor one racial group over others. Members of Council have unique power as City leaders to be stewards of anti-racism and have a responsibility to develop their own awareness, knowledge and skills. For example, systemic racism is perpetuated unless attention is given to the ways that institutions and laws have historically been structured to unfairly

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disadvantage Indigenous, Black and diverse Racialized Peoples. Awareness and knowledge about systemic racism enables Members to lead The City in implementing the Anti-Racism Strategic Plan.

We recommend that section 10.1 is added to the *Code of Conduct* to address systemic racism, not just racial discrimination. The proposed amendment would be added under Part 2 – A Representing the City. Part A covers the broad obligations on Members to act in good faith, with competence and diligence and in a way that upholds public confidence in City governance. By adding anti-racism to Part A, it signals that anti-racism is central to the discharge of Members' offices.

Specific conduct that may be discriminatory will continue to be addressed under s. 19, although we recommend that s. 19 is amended to replace “communicate” with “treat”. The difference in language is subtle and is intended to clarify that the kind of conduct captured by the provision is broad. Similar language is used in other municipal codes of conduct, such as Ottawa, Winnipeg and Vancouver.

The proposed amendments contribute to implementing the Strategic Plan, in particular Focus Area 1, to develop and implement anti-racism education and training, and Focus Area 4, to develop, promote and deliver racially equitable programs, services, policies and systems.

Training Plan

The Ethics Advisor will develop an anti-racism training plan with the support of The Anti-Racism Program. The training plan will be reviewed yearly. The current plan is as follows:

- Yearly in-person training session where specific topics can be examined and explored in depth; and
- Continuing training of a more customized nature throughout the year, whether through online modules, self-directed learning, in-person discussions or other gatherings.

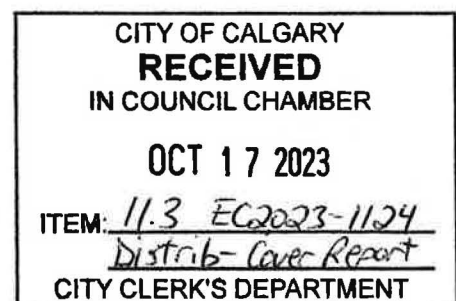
The training will be tailored to the duties of Members of Council in section 153 of the *Municipal Government Act*, and the *Code of Conduct*. The focus will broadly be on two areas:

- Awareness, knowledge and skills on anti-racism and racial justice; and
- Anti-racist leadership skills in the context of municipal governance.

Communications to City Employee Complainants

City employees who make complaints to the Integrity Commissioner concerning Members' conduct may wish to receive support. The Integrity Commissioner will remind City complainants of available City resources, including:

- Respectful Workplace Office
- Anti-Racism Program
- Indigenous Relations Office
- Equity, Diversity, Inclusion and Belonging
- Labour Relations
- Corporate Security
- Whistleblower Program



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EXTERNAL ENGAGEMENT AND COMMUNICATION

- | | |
|--|---|
| <input type="checkbox"/> Public engagement was undertaken | <input checked="" type="checkbox"/> Dialogue with interested parties was undertaken |
| <input type="checkbox"/> Public/interested parties were informed | <input type="checkbox"/> Public communication or engagement was not required |

IMPLICATIONS

Social

The social implications of not implementing anti-racism training and mandatory yearly learning for Council Members include the perpetuation of systemic racism, erosion of community trust and cohesion, and a lack of racially equitable bylaws.

Environmental

The absence of anti-racism training and mandatory learning for Council Members could indirectly impact the environment by potentially perpetuating environmental injustices and limiting diverse perspectives in sustainable decision-making, which may hinder racially equitable environmental policies and practices.

Economic

The economic implications of not implementing anti-racism training and mandatory yearly learning for Council Members involve economic consequences due to perpetuated racial inequality, racial inefficiencies in resource allocation, and the possibility of incurring legal costs and reputational damage related to discriminatory practices.

Service and Financial Implications

Other: No Financial implications at this time

RISK

Not implementing anti-racism training and mandatory yearly learning may perpetuate systemic racism, damage community trust and The City and Council's reputation.

ATTACHMENT

1. Proposed Bylaw 51M2023

Department Circulation

General Manager/Director	Department	Approve/Consult/Inform
Stuart Dalgleish	Planning & Development Services	Inform
Chris Arthurs	People, Innovation & Collaboration Services	Inform

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Michael Thompson	Infrastructure Services	Inform
Carla Male	Corporate Planning & Financial Services	Inform
Doug Morgan	Operational Services	Inform
Jill Floen	Law, Legislative Services & Security	Inform

City Clerks: C. Doi / J. Palaschuk