

**CODE CHANGES 2020:  
ETHICS AND ACCOUNTABILITY**

TO: Council  
FROM: Governance Committee  
November 2020

Amendment to introduce guidelines on handling allegations of wrongdoing by Council members .

Additions are indicated by ***bold italics***. Deletions are indicated by striking through (~~this~~).

**SECTION II: COUNCIL, COUNCIL MEMBERS, AND OTHERS**

**Article 22. Ethics and Accountability**

- 1. Council may refer issues to the Ethics and Accountability Committee when there are allegations that a member of Council has violated the Society's Constitution, Bylaws, Code, or Policies, or otherwise conducted themselves in such a way as to bring the Society into disrepute.***
- 2. If in accordance with the procedures outlined in Section V, Article 16 the Ethics and Accountability Committee recommends that action be taken against the Council member or members, Council shall vote on whether to take such action.***
- 3. One week's notice shall be given to the Council member or members before the Council meeting at which a vote on taking action is to be held.***
- 4. No member of Council or their proxy may vote on a motion concerning taking action against that member under this Article, nor may they vote on adding or removing such a motion from the Agenda; however, such a member or their proxy may participate in the debate on such motions.***
- 5. If Council wishes to take action without referring to the Ethics and Accountability Committee, it must still give one week's notice, unless the action is in response to conduct occurring at a meeting of Council. In the latter case, a motion concerning such conduct shall require a Two-thirds (2/3rds) majority.***
- 6. If the number of members named in a motion concerning the conduct of such members is such that subtracting that number from those present at the meeting would result in a loss of quorum, then the motion shall be of no effect.***

## **SECTION V: COMMITTEES OF COUNCIL**

### **Article 1. General**

1. There shall be Standing and Extraordinary Committees of Council. Council may also appoint ad hoc committees.
2. The Extraordinary Committees shall be:
  - (a) the Elections Committee;
  - (b) the Advisory Board;
  - (c) the Indigenous Committee; **and**
  - (d) ***the Ethics and Accountability Committee.***

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### **Article 16. Ethics and Accountability Committee**

1. ***The Ethics and Accountability Committee shall be composed of:***
  - (a) ***the Speaker of Council, who shall be Chair;***
  - (b) ***the non-Executive Chairs of the Standing Committees; and***
  - (c) ***the Ombudsperson, who shall be non-voting.***
2. ***If the number of non-Executive Chairs is less than four (4), Council shall appoint two (2) additional non-Executive Councillors to the Committee so that the total number of seats on the Committee is at least five (5).***
3. ***Procedures***
  - (a) ***The Ethics and Accountability Committee shall review issues referred to it by Council in accordance with Section II, Article 22.***
  - (b) ***The Committee shall set its own procedures, but it shall ensure that it hears arguments both for and against the allegations brought before it, and shall ensure that the Council member or members against whom the allegations have been made shall have an opportunity to defend themselves.***
  - (c) ***If a member of the Ethics and Accountability Committee is a party against whom the allegations have been made, they shall recuse themselves and not take part in the Committee's decision-making.***
4. ***Remedial Measures***
  - (a) ***If the Ethics and Accountability Committee decides that remedial measures are required, it shall make a recommendation to Council for what measures to impose, such measures to be proportionate to the offence.***

- (b) **Remedial measures that the Ethics and Accountability Committee may recommend include but are not limited to:**
- i. **Demanding a written apology.**
  - ii. **Ordering training or coaching.**
  - iii. **Requiring reports to Council.**
  - iv. **Passing a motion of censure or reprimand.**
  - v. **Removing or reassigning duties and powers.**
  - vi. **Asking for a resignation.**
  - vii. **Initiating procedures to remove the party from their position.**

## **SECTION II: COUNCIL, COUNCIL MEMBERS, AND OTHERS**

### **Article 8. Speaker of Council**

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3. The Speaker of Council shall:
  - (a) chair Council meetings;
  - (b) post notices of Council meetings no less than forty-eight (48) hours in advance, by any means they deem necessary, including electronic media, in order to notify both Council members and other Active Members of the Society;
  - (c) ensure, to the best of their ability, adequate security for the Forum and the contents therein during, and immediately before and after, Council meetings;
  - (d) chair Election Appeals Committees **and the Ethics and Accountability Committee**; and
  - (e) have such other duties as are outlined in the Code or assigned by Council from time to time.
4. The Speaker shall not be the Spokesperson of Council. As prescribed by Code Section VI, Article 4(1)(b) the President at all times is the Spokesperson of the Society and of Council.
5. In the absence of the Speaker, the President or the President's designate shall chair Council meetings, provided however that Council may, by Two-thirds (2/3) Resolution, elect an alternate chair.

### **SECTION III: MEETINGS OF COUNCIL**

#### **Article 1. Rules of Order**

42. — ~~No member of Council or their proxy may vote on a Resolution concerning disciplining said member, nor may they vote on a Resolution from the floor adding such a resolution to, or removing it from, the Agenda; however, a member or their proxy may still participate in the debate on such Resolutions.~~

43. — ~~If the number of members named in the discipline motion is such that subtracting that number from those present at the meeting would result in a loss of quorum, then the motion shall be of no effect.~~

44. — ~~One week's notice is required for any disciplinary resolution unless it pertains to conduct occurring at a meeting of Council, in which case such motion shall require a Two-thirds (2/3rds) majority.~~

***[and renumber]***