

Ethics and Accountability Committee Guiding Principles

Outside Advice

While being cautious not to reveal details of *in camera* discussions, the Committee may seek advice from parties including but not limited to:

- AMS legal counsel
- AMS Human Resources
 - Senior HR Manager
 - HR Coordinator
- AMS Archivist/Clerk of Council
- AMS Council

It is recommended that prior to addressing an issue regarding a human resources issue, the Committee seek general advice on procedure from AMS Human Resources.

In camera

The Committee should go *in camera* when:

- Details discussed may have legal or financial implications for the Society;
- Details discussed include an individual's personal information.

Proxies

Due to the unique nature of the topics discussed, Committee members should use discretion when determining whether to ask a proxy to attend in their place, particularly for *in camera* sessions. The Committee may decide to remove a proxy to remain for the *in camera* portion of the meeting by resolution.

Conflicts

Where a member of the Committee is one of the parties involved in an allegation, that member should declare their conflict and not attend meetings related to the allegation unless directed to by the Committee, as outlined by Code.

Investigations

The Committee approach to investigations should be guided by the following principles:

- The primary action of the Committee should be to undertake a full and fair investigation of the allegation;
- The named party should have an opportunity to provide their account;
- Where applicable, other parties directly involved should have opportunities to provide their accounts

In determining the appropriate sanction, the Committee should be guided by the following principles:

- Measures should reflect the nature of the incident and be proportional to the seriousness of the misconduct;
- Measures should reflect the surrounding circumstances, including whether the Committee has previously recommended measures against the Council member;
- Measures should prioritize correction over punishment;
- Requesting a resignation should be a tool of last resort.

Recommendations to Council

The Committee's recommendations should be based on an examination of facts and evidence.

Recommendations to Council should include:

- Summary of what was found in the investigation;
- Reference to relevant sections of Code;
- Recommended sanction;
- Justification for the recommendation, including
 - Severity of the misconduct and extent of harm to the Society/members of the Society,
 - Intention of the named party,
 - Surrounding circumstances;
- Declarations of any real or perceived conflicts of interests held by Committee members, and details regarding Committee members who did not participate in votes and discussions as a result;
- Where applicable, possible preventative measures to prevent such an issue arising again.

Where appropriate, recommendations to Council may also include:

- A list of parties appearing before the committee to provide their accounts.

Notice of Motion

The one week's notice which is required by Code and given to the Council member or members before the Council meeting at which a vote on taking action is to be held should include:

- The date of the Council meeting at which the vote will be held;
- The broad wording of the motion(s) which is to be voted on;

This information should be communicated in writing.

Where possible, one week's notice should also be given for recommendations pertaining to discipline of Council member(s) that do not involve a vote.

Where possible, similar notice should also be given to other parties involved, even if they are not the direct subject of the motion.

Committee Chair

The Chair should facilitate discussion and attempt to avoid biases in presentation of information to the Committee and to Council. Where more than one party is involved, the Chair should seek to invite parties of equal relevance to the situation to appear before the Committee for equal amounts of time.

In the situation where there is no Chair of the Committee due to a vacancy of the Speaker of Council position, the Vice-Chair should endeavour to take the steps in the paragraph above. In the situation where the acting chair is, unlike the Speaker, a voting member of Council, the acting chair should use discretion on whether or not it is appropriate to vote on motions brought to Council by the Committee.