



Code of Conduct – Six Nations of the Grand River Elected Council

Category: Governance

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1. Purpose

- 1.1. The purpose of this code is to provide guidelines for the conduct and behaviour of Members of Council.

2. Policy Statement

- 2.1. The Code of Conduct shall ensure that the public and Members of Council share a common understanding of acceptable conduct for Members of Council.

3. Definitions

- 3.1 **Administration** – means the directors, managers and employees who carry out the activity of government under the direction of Council in the exercise of its powers and duties as delegated to its departments and programs.
- 3.2 **Child** – includes a person whom a Member of Council has demonstrated an intention to treat as a child of their family and includes step-children, foster children, adoption and customary adoption.
- 3.3 **Code** – means the Code of Conduct for Members of Council.
- 3.4 **Conflict of Interest** – means a situation in which a Member of Council has a personal interest in a matter of a nature that is sufficient to influence, or be perceived to influence, the exercise of their public duties and responsibilities, (for example: when a Member of Council's family member (as defined) is before Council and who is seeking financial support for a family business that is not available to the rest of the community) such that they cannot be perceived as being impartial and acting with integrity because they can derive a personal benefit from a decision (for example: the

income generated at the family business which may go to the Member of Council in conflict as a result of the financial support provided by Council). Conflict of Interest does not include an interest in a decision that:

- (a) Is of general application (for example: family members and the like are seeking financial assistance from Council that is available to the entire community)
 - (b) Affects a Member of Council as one of a broad class of persons; or
 - (c) Concerns the remuneration or benefits of a Member of Council.
- 3.5. **Council or Six Nations of the Grand River Elected Council** – means all members of the Elected Council including the Elected Chief and not including Administration.
- 3.6. **Family Member** – means:
- (a) Spouse, including but not limited to common-law spouse and same-sex partner;
 - (b) Child, mother, father, sister, brother, grandchild, grandparent, aunt, uncle, niece and nephew;
 - (c) Parents-in-law, grand parents -in-law, sister-in-law and brother-in-law; and
 - (d) Step-mother, step-father, step-sister, step-brother and step-child.
- 3.7 **Gift** – means a present or other personal benefit that is given or received as an incident of protocol, customs or social obligations that normally accompany the responsibilities of office and does not exceed Two Hundred Dollars (\$200.00) value.
- 3.8 **Member of Council** – means an individual Councillor, or the Elected Chief, of the Council.
- 3.9 **Six Nations Member** – means an individual whose name is registered on the Six Nations of the Grand River Membership List or who is entitled to have their name registered on the Six Nations of the Grand River Membership List.
- 3.10 **Social Media** - refers to the collective of online communication channels dedicated to networking, community-based input, interaction, content-sharing and collaboration. These may include but are not limited to: X, Instagram, blogs/weblogs, message boards, photo/video sites (i.e. YouTube, Flickr, Tik Tok etc.), social news sites, (i.e. Digg, Reddit), Facebook and LinkedIn and podcasts.
- 3.11 **Public** – includes Six Nations Members, members of the media and Six Nations of the Grand River employees.

4. Scope

4.1 This Code applies to Members of Council.

5. General Integrity

5.1 The following key principles underlie this Code:

- (a) Members of Council have a duty to serve, and be seen to serve, their community and its members.
- (b) Members of Council shall be committed to carrying out their duties with integrity.
- (c) Members of Council shall perform their duties of office and arrange their private affairs in a manner that promotes public confidence.
- (d) Members of Council shall maintain the Council's dignity to justify the respect in which the community holds Council.
- (e) Members of Council shall avoid real or perceived Conflicts of Interest and improper use of the influence of their office.
- (f) Members shall protect the public interest.
- (g) Members shall serve as an example to encourage high ethical standards throughout the organization.

6. Conflict of Interest

6.1 A Member of Council shall not participate in making a decision in the execution of their office if the Member of Council knows or reasonably should know that in making the decision there is an opportunity for the Member of Council to be in or perceived as being in a Conflict of Interest.

Disclosure

6.2 A Member of Council who has reasonable grounds to believe that they have a Conflict of Interest in a matter that is before Council or a Committee of Council, must, if present at a meeting considering the matter:

- (a) Disclose the Conflict of Interest and the general nature thereof; and
- (b) Not vote or participate in consideration of the matter.
- (c) Members of Council or Committee of Council in conflict may remain in the meeting and must maintain confidentiality of matters discussed before them and are not allowed to participate in the discussions.

Land Transfers

- 6.3 Notwithstanding 6.2, when dealing with land transfers where there is no discussion on the matter, the Member of Council must disclose the Conflict of Interest and must not vote and does not have to withdraw from the meeting by leaving the room.

Record

- 6.4 All formal records concerning the matter, such as minutes of meetings, will record that the Member of Council declared a Conflict of Interest and did not participate in the discussion or decision concerning the matter.

Withdrawal

- 6.5 Once a Member of Council has declared a Conflict of Interest, they are not able to vote or participate in consideration of the matter, or sign any motion, Council Resolution or other document related to the matter for which the Conflict of Interest was declared, unless the declaration of conflict of interest is withdrawn after being determined not to be a conflict of interest by Council, Committee of Council or the Integrity Commission and if the decisions or issues are determined to be of general application set out in section 3.4 (a) set out above. In all the circumstances substance shall prevail over form.

Quorum Minimum

- 6.6 Where a member or multiple Members of Council who, by reason of the provisions of this Code, are disabled from participating in a meeting is such that at that meeting the remaining members are not of sufficient number to constitute a quorum, then, despite any other general or special Act, the remaining number of

Members shall be deemed to constitute a quorum of Council, provided such number is not less than five (5) .

Point of Order

6.7 Where a Member of Council may have a Conflict of Interest but does not declare themselves as having a Conflict of Interest, another Member of Council may raise a Point of Order to the Chairperson, or may make a motion to defer the matter to a later date until after the Integrity Commission has an opportunity to review and advise Council on the Member of Council's potential Conflict of Interest.

7. Gifts

7.1 A Member of Council must submit to the Finance Department of Council, any Gifts valued at more than two hundred dollars (\$200.00) or more received that are connected directly with the performance of their duties as a Member of Council for external organizations, associations, committees, trusts and boards.

7.2 The Finance Department shall return any monies submitted to them by a Member of Council to that Member of Council if receipts, invoices or other acceptable documentation indicates that the money submitted was a reimbursement in consideration of actual expenses incurred by the Member of Council during the performance of their duties of office.

7.3 Section 7.1 does not apply to a Gift of a maximum value of two hundred dollars (\$200.00) that is received as an incident of the protocol, customs or social obligations that normally accompany the responsibilities of office and are:

- (a) Within the normal bounds of propriety, a normal expression of courtesy or protocol within the normal standards of hospitality;
- (b) Not a cash payment, nor any other form of remuneration for performance of a Member of Council's duties of office;
- (c) Not such as to bring suspicion on the Member of Council's objectivity and impartiality; and
- (d) Shall not compromise the integrity of Council.

- 7.4 Gifts, hospitality and other benefits of reasonable value received from governments or in connection with an official or public event are permitted if they are compliant with 7.3.
- 7.5 Where a Gift has been accepted by a Member of Council under 7.3 or 7.4 the Member of Council in receipt of the Gift shall submit to the Finance Department within seven (7) days a brief description of the Gift, the date the Gift was received, the approximate value of the Gift, and the name of the person/organization who gave the Gift.
- 7.6 Where a Gift accepted under sections 7.3 or 7.4 has a value of two hundred dollars (\$200.00) or more, the Member of Council shall make arrangements for the Gift to be placed in Council's inventory.
- 7.7 Gifts and other benefits from Family Members and close personal friends are not subject to the provisions of this section provided that accepting the Gift would not compromise the integrity of Council or the Member of Council.
- 7.8 Where there is doubt as to the appropriateness of accepting an offer of a Gift, hospitality or other benefit, including from Family Members, Members of Council shall not to accept the offer.

8. Contracts with Council

- 8.1 No Member of Council shall knowingly be a party to a contract with Council under which he/she receives a benefit.
- 8.2 No Member of Council shall have an interest in a partnership, joint venture or in a private company that is a party to a contract with Council under which the partnership, joint venture or company receives a benefit.
- 8.3 Sections 8.1 and 8.2 do not apply to a contract that existed before the Member of Council's election to Council, but they do apply to its renewal or extension.
- 8.4 Section 8.1 does not prohibit a Member of Council from receiving retirement benefits funded through Council for past employment.

- 8.5 Section 8.2 does not apply until the first anniversary of the acquisition if the interest in the partnership, joint venture or private company was acquired by inheritance.
- 8.6 No Member of Council shall commit, guarantee, promise, pledge nor otherwise represent to a third party that Council will enter into any agreement or contract or disburse money or undertake anything that cannot be accomplished without a Council Resolution.

9. Permissible Activities

- 9.1 Subject to sections 6 and 8, nothing in this Code prohibits a Member of Council from:
- (a) Engaging in employment or in the practice of a profession;
 - (b) Engaging in the management of a business carried on by a corporation (excluding the Six Nations of the Grand River Development Corporation);
 - (c) Carrying on a business through a partnership, joint venture or sole proprietorship;
 - (d) Holding shares or an interest in any corporation, partnership, syndicate, cooperative or similar commercial enterprise;
 - (e) Being a director or officer of a corporation, business or unincorporated association; or
 - (f) Participating or volunteering for a non-profit association or community group.

10. Confidential Information

- 10.1 No Member of Council shall disclose or release by any means to any member of the public, any confidential information acquired by virtue of their office, in either written or oral form, except when required by law or authorized by Council to do so.
- 10.2 No Member of Council shall use confidential information for financial or other gain, or for the financial or other gain of a Family Member or any person or corporation. (For example, no Member of Council should directly

or indirectly benefit, or aid others to benefit, from knowledge respecting tendering of contracts).

10.3 No Member of Council shall disclose the content of a matter that has been discussed at or the substance of deliberations of an In-Camera meeting, except for content that has been authorized by Council to be released to the public pursuant to the *In-Camera Meeting Policy*.

10.4 Examples of the types of content that a Member of Council must keep confidential in accordance with this Code includes, but is not limited to, information:

- (a) Received in confidence by a third party of a financial, commercial, scientific, or technical nature;
- (b) Related to potential or ongoing negotiations including acquisitions and dispositions of goods and services, and price schedules in contract tenders or request for proposal submissions;
- (c) That is personally identifiable and has not been consented to for public release including personnel relations or employee negotiations;
- (d) Subject to solicitor-client privilege including but not limited to litigation or potential litigation; and
- (e) That if released may be a detriment to the safety and security of the Six Nations community, Six Nations members or the Council.

10.5 Members of Council shall not access or attempt to gain access to confidential information in the possession of Council or the Administration unless it is necessary for the performance of their duties.

11. Conduct at Council and Committee Meetings

11.1 Members of Council shall conduct themselves with a professional demeanour. Members of Council shall interact with other persons in a tactful and respectful manner.

11.2 Members of Council shall conduct themselves in accordance with the *Six Nations of the Grand River Elected Council Procedure Regulations*.

- 11.3 Members of Council shall refrain from engaging in a dispute, altercation or quarrel with a Six Nations Member who is addressing a matter that is before Council or a Committee of Council. This shall not preclude a Member of Council from asking questions that will clarify the information provided by a Community Member to Council.
- 11.4 All Members of Council are expected to participate fully in discussions and work toward achieving a consensus on issues brought before Council or a Committee of Council.
- 11.4.1 During a Council or Committee Meeting, Members of Council must be present for the full duration of the discussion on a matter in order to vote or sign any motion, Council Resolution or other document related to the matter.

12. Election Campaigns

- 12.1 No Member of Council shall use the facilities, equipment, supplies, electronic equipment, services, or other resources of the Council for any election campaign or campaign-related activities.
- 12.2 For the purposes of section 12.1 of this Code, facilities, equipment, supplies, electronic equipment, services, or other resources of Council include, but are not limited to, Council's:
- (a) Website;
 - (b) Logos;
 - (c) Signs;
 - (d) Newsletter or any other printed or electronic publication of Council;
 - (e) E-mail;
 - (f) Business cards;
 - (g) Letterhead;
 - (h) Photocopiers;
 - (i) Facsimile;
 - (j) Mobile phones;
 - (k) Financial resources; and
 - (l) Social media accounts.

12.3 No Member of Council shall use the services of Council employees for any election campaign or campaign related activities during hours in which those employees receive any remuneration from Council.

13. Conduct Respecting Staff

13.1 Only Council as a collective shall have the authority to approve budgets, policies, committee processes and other such matters relating to the business of the Council.

13.2 Under the direction of the Chief Executive Officer employees shall provide administrative support to the Council.

13.3 Members of Council shall respect the politically neutral and objective role of employees. This shall include Members of Council refraining from unduly influencing or directing employees of Council.

13.4 No Member of Council shall maliciously, falsely, negligently, or recklessly injure the reputation, prospects or practices of Council employees.

13.5 No Member of Council shall compel, request, or coerce a Council employee to engage in partisan political activity or be subject to reprisal for failing to engage in such activity.

13.6 No Member of Council shall use, or attempt to use, their authority or influence for the purpose of intimidating, threatening, coercing, commanding, or bribing any employee with the intent of interfering with that employee's duties, including the duty to disclose improper activity.

13.7 Members of Council shall refer complaints from Council employees to the appropriate supervisor for resolution.

14. Use of Council Property

14.1 No Member of Council shall for personal purposes use any Council property, equipment, services or supplies other than for purposes connected with the discharge of Council duties or associated community activities of which Council has been advised.

- 14.2 Members of Council shall be permitted exceptions to section 14.1 if the use of property is for a reasonable and incidental purpose (ex. Computers, fax, mobile devices...) where the Council incurs no additional cost relating to such use, and the use is of limited duration and frequency. Exceptions to section 14.1 shall also be granted if the use of property is authorized by a Council policy or resolution.
- 14.3 No Member of Council shall obtain financial gain or other benefit from the use or sale of Council-developed intellectual property, programs, technical innovations, or other items capable of being patented, since the rights to all such property remains exclusively that of the Council.
- 14.4 No Member of Council shall use information gained in the execution of their duties that is not available to the general public for any purposes other than their official duties.
- 14.5 Members of Council shall adhere to *Six Nations of the Grand River Council's Electronic Equipment Use Policy* in terms of use of Council owned electronic equipment.

15. Personal Use of Social Media

- 15.1 Members of Council shall not use personal social media accounts to communicate:
- (a) Confidential Council information (i.e. information discussed during an in-camera meeting);
 - (b) Discriminatory, threatening, derogatory or defamatory statements regarding the Council, its employees, clients, community members or vendors;
 - (c) Private or confidential information about fellow Members of Council, employees, or any other individual; or
 - (d) Any other content that violates this Code or any other policies applicable to Members of Council.
- 15.2 The Elected Chief is the primary spokesperson for the Council, as such, Members of Council should clearly identify where they are expressing personal views, and not necessarily the views of the Council when posting information on personal social media accounts.

- 15.3 Members of Council are to refrain from:
- (a) Using the Six Nations of the Grand River (SNGR) logo or any related imaging within their personal social media accounts in a manner that may give the account the appearance of being an official SNGR account; and
 - (b) Using a personal social media account in any manner that gives the appearance they are authorized to provide public statements on behalf of the Council.

16. Guidelines for Official Use of Six Nations of the Grand River Social Media Accounts

- 16.1 The objectives of SNGR's official social media accounts shall be to:
- (a) Solicit input from community members on specific Council initiatives;
 - (b) Provide background information and updates on Council initiatives;
 - (c) Issue an invitation to an event or community meeting;
 - (d) Inform the public on emerging issues of importance to the Council;
 - (e) Provide public information about SNGR programs and services;
 - (f) Share information pertaining to upcoming events being coordinated by community-based organizations that may be of potential interest to community members;
 - (g) Advertising job vacancies within the SNGR organization;
 - (h) Provide additional communication channels in times of emergency or for time sensitive issues; and
 - (i) Manage messages by creating content that stands alongside other forms of media (i.e., television, newspapers).
- 16.2 Any communication made through official SNGR social media accounts will be deemed inappropriate and in turn, deleted if it contains:
- (a) Profane language or content;
 - (b) Content that promotes, fosters or perpetuates hate or discrimination on the basis of race, creed, colour, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability, or sexual orientation;

- (c) Sexual and/or obscene content or links to sexual and/or obscene content;
 - (d) Encouragement of illegal activity;
 - (e) Content related to non-Council related sales, advertising or promotions;
 - (f) Information that may compromise the safety or security of the public or public systems;
 - (g) Content that reveals personal or private information about any particular person or is otherwise protected by any applicable privacy legislation;
 - (h) Content that violates a legal ownership interest of any other party;
 - (j) Threatening, derogatory or defamatory statements regarding the Council, employees, clients, community members or vendors;
 - (k) Information that is factually incorrect; and
 - (l) Any other content that can reasonably be concluded to be offensive or inappropriate to the public or any segment of the public, as determined by the *Integrity Commission*.
- 16.3 Any third-party content posted on official SNGR social media accounts not conforming to section 16.2 of this policy shall be removed immediately. If third parties continue to post content in violation of section 16.2 of this policy, steps shall be taken to block the third party from posting any further content.
- 16.4 To ensure transparency and accessibility to information, no official SNGR social media accounts are to operate on a private basis (i.e. accessible by invite or permission only).
- 16.5 All duly authorized official social media accounts will clearly indicate they are an official social media account of SNGR and contain the appropriate contact information and logo.
- 17. Non-Compliance**
- 17.1 Complaints regarding a Member of Council's failure to adhere to any provision of this Code shall be addressed through the Integrity Commission.

18. Authorization

- 18.1 This policy was approved by Six Nations Elected Council at the General Council meeting held on June 20, 2017, by SNCR No. **ICGC#386/06/20/2017** to come into effect on June 27, 2017.
- 18.2 Amendments to this policy must be approved by a Council Resolution.
- 18.3 This policy repeals and replaces any previous policies on Conflict of Interest or conduct of Members of Council including *Conflict of Interest Code for Six Nations Council 2006* and *Six Nations of the Grand River Code of Conduct 2001*.
- 18.4 This policy was amended and approved by Six Nations of the Grand River Elected Council at the Political Liaison meeting held on December 9, 2024, by resolution ICPL#423/12/09/2024 to be effective on December 10, 2024.