

Policy Section: Council Process	Policy Number: CP-8
Policy: Councilor’s Code of Conduct	Date Approved: May 5, 2001
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Policy Overview and Purpose

As a self-regulated health college, the College of Medical Laboratory Technologists of Alberta (CMLTA) protects and serves the public, patients, and our Regulated Members. To facilitate and support the CMLTA Council in upholding its regulatory mandate, and to provide competent, conscientious, and effective governance that maintains the confidence of the CMLTA stakeholders, it is critical that each Councilor understand and demonstrate the expectations and guiding principles for ethical and professional conduct. The effectiveness of Council depends upon the commitment of each Councilor to uphold and support the regulatory framework for decision making within the CMLTA, along with a high standard of personal conduct.

The Councilor’s Code of Conduct describes the standard of behaviour expected of each Councilor. A commitment to serve on Council represents a commitment by each Councilor to the individual self-discipline required to govern with excellence. All Councilors are expected to conduct themselves in a manner consistent with the spirit and intent of this Councilor’s Code of Conduct.

Council as a collective body will reaffirm support of the Councilor’s Code of Conduct annually through a resolution of Council which will become binding on all Councilors of the CMLTA.

Standards and Expectations for Councilors and Council as a Whole

Council is accountable for fulfilling and upholding the regulated mandate as delegated by the Government of Alberta through the *Health Professions Act* (HPA). Councilors provide the oversight on the CMLTA’s mandate to ensure that our Medical Laboratory Technologists (MLTs) are regulated and competent to practice in a manner that protects the public safety.

1. Primacy of Council

- a) All Councilors must respect that only Council as a whole has the authority to govern. No individual Councilor will represent themselves as a decision maker for the CMLTA, commit the CMLTA to any course of action, or undermine the collective will of Council.
- b) Councilors must not exert individual authority over the CMLTA or Council, except when acting together with other Councilors in a legally convened meeting or as stated in the Bylaws and/or policies.
- c) Individual Councilors do not have the authority to speak on behalf of the CMLTA when interacting with staff, the public, the press, and other entities, unless delegated authority by Council resolution.

2. Individual Councilors must:

- a) Conduct themselves with professionalism, taking responsibility for their own actions and decisions, and contribute to an environment that builds trust, sensitivity and flexibility towards each other, problem solves collaboratively, and communicates honestly and respectfully with and to others.

- b) Carry out their duties honestly, in good faith, and in the best interests of the CMLTA, upholding the CMLTA's mandate of patient safety and public protection.
- c) Display courteous and professional conduct in all meetings, respecting the opinions of everyone involved.
- d) All Councilors must respect the role separation between Council and administration by not interfering with or directing, or have the appearance of interfering with or directing, the day-to-day administrative functions of the CMLTA or actions of subordinate staff reporting to the Executive Director/Registrar/ Complaints Director.
- e) No Councilor will criticize or undermine administration, the CMLTA, other Councilors, Council decisions, or any stakeholders to the CMLTA's Regulated Members, the public, any of the CMLTA's stakeholders, employees of the CMLTA, or contractors/service providers to the CMLTA.
- f) All Councilors and Council as a whole must uphold the CMLTA Bylaws, policies, and Councilor's Code of Conduct in its entirety.

3. Council Governance

- a) All Councilors must attend meetings regularly, and participate on committees as appointed.
- b) All Councilors must prepare thoroughly for all meetings, including:
 - I. Ensuring that all information is presented at the Council meeting prior to voting on a motion within a Council meeting; and
 - II. Reading all materials in the Council agenda package so that they are in an adequate position to properly address issues and questions that come before Council for consideration and decision.
- c) All Councilors must vote on motions based on information that is available within a Council meeting. In doing so, Councilors must:
 - I. Consider the welfare and interests of the CMLTA as whole; and
 - II. Demonstrate an absence of bias in the deliberation and decision making process, ensuring that self-interest (personal, financial, workplace, employment, membership, or other boards) or special interest or advocacy groups are not the beneficiaries of the decision-making process.

4. Confidentiality

Confidentiality applies to and continues in force regarding current and past members of Council.

- a) Councilors shall not directly or indirectly release, make public, or in any way divulge any information which is deemed to be confidential, in any format (e.g., hardcopy, electronic copy, files, documents, printouts, records, emails, etc.), unless expressly authorized to do so by Council through a resolution of Council or are required to do so by law.
- b) Councilors must not use Council information for their own direct benefit or advantage. Councilors must not communicate, either directly or indirectly, confidential information to anyone who is not entitled to receive the information.
- c) Councilors must protect the privacy of all confidential information in all areas as required by all applicable privacy legislation.

- d) The proceedings of any Council meeting, or any part of any Council meeting, or of any Council committee that is conducted *in camera* must be kept confidential. This includes the minutes or any records of the meeting.
- e) When uncertain about a matter of confidentiality, Councilors must immediately seek direction from Council.
- f) Councilors must maintain safe and secure storage of all information and documents (whether in hard-copy or electronic form) that she receives as a Councilor and must properly dispose of such information and documents.

5. Conflict of Interest

- a) To protect both the perception and requirement of honesty and impartiality beyond question, no Councilor shall, directly or indirectly, solicit or accept a reward, gift, benefit of any kind, or service from any individual, organization, corporation, or agency, arising as a result of or in connection with her membership on Council in any way that may result in:
 - i. A personal gain or benefit;
 - ii. The perception by any reasonable person or media that the action is unethical;
 - iii. Being indebted to or owing something to another person, organization, corporation, or agency as a result; or
 - iv. A decision that may be influenced as a result.

Exceptions will be made in the following circumstances; the normal exchange of hospitality between persons doing business together; tokens exchanged as part of protocol; the presentation of gifts to persons participating in public forums; and meals provided at banquets, official functions, or those events approved by Council.

- b) A conflict of interest includes any situation or relationship that does or could make Council or any Council member open to a potentially diminished reputation for integrity in pursuit of the CMLTA's mission and statutory mandate and duties. Councilors must immediately declare to Council any actual or perceived conflict of interest that may arise.
- c) Councilors cannot conduct any private business and/or personal services between themselves and the CMLTA.
- d) A Councilor cannot directly or indirectly benefit materially from her position as a Council member including through knowledge of, or participation in, an investment or purchase decision by the CMLTA.
- e) Councilors must not use their positions to obtain employment with the CMLTA for themselves or their family members.
- f) Councilors must not use their positions to directly or indirectly secure special privileges, favours, or exceptions for themselves, or any other person, individual, group, organization, community, and/or their own special interest.
- g) Councilors who declare themselves in a conflict-of-interest position or where Council (by simple majority vote of the other members of Council) determines that a Councilor has a conflict of interest are removed from all discussion and voting on the issue or matter to which the conflict of interest relates. All declarations or determinations of conflict of interest and the affected Council members' removal from all discussion and voting must be recorded in the minutes.

6. Discrimination, Harassment, Bullying, and Violence:

The CMLTA is committed to a workplace that is free of discrimination, harassment, bullying, or violence of any kind. As such, there will be no tolerance for physical, sexual, verbal, or psychological harassment, violence, or bullying while serving on or in the capacity of an official CMLTA Council member.

Harassment shall mean engaging in a course of vexatious comment or conduct that is known, or ought reasonably to be known, to be unwelcome, that demeans, humiliates, embarrasses, intimidates, or creates an offensive or hostile environment for another individual. Harassment can include, but may not be limited to, discriminatory actions, or harassment that is physical, psychological, sexual, or verbal in nature.

Bullying, a unique form of harassment, may be characterized through insulting, hurtful, hostile, vindictive, cruel, or malicious behaviours that undermine, disrupt, or negatively impact another person's ability to do her job and results in a harmful work environment for others.

- a) Councilors will act in accordance with the *Alberta Human Rights Act*, and shall not discriminate against anyone on the basis of their race, ancestry, place of origin, colour, religious beliefs, gender, physical disability, mental disability, age, marital status, family status, source of income, or sexual orientation.
- b) Councilors will refrain from conducting themselves in any manner (including, but not limited to, comment, gesture, physical contact, or Council decisions) that is discriminatory or harassing, or can reasonably be perceived to be discriminatory or harassing by any individual within the employment of the CMLTA, contractors or service providers to the CMLTA, Regulated Members of the CMLTA, Councilors, or the public.

7. Violations of the Councilor's Code of Conduct

A Councilor who does not abide by the Councilor's Code of Conduct will be notified in writing by the President, and will be allowed to present her views about the alleged violation at the next Council meeting. This portion of the meeting is held *in camera*. The complaining party, if any, must be identified. A Councilor may, by a simple majority vote of the other members of Council, be found to have violated the Councilor's Code of Conduct.

Councilors who are found to have violated the Councilor's Code of Conduct will be subject to censure. One or more of the following options for censure will be determined by a simple majority vote of the other members of Council:

- a) A verbal warning.
- b) A written warning.
- c) A suspension from the Council for one or more meetings.

In addition to, or instead of, any censure described in sections 7(a), (b), and (c) above; a Councilor may be removed from Council pursuant to Article 6.8 of the Bylaws.