

Elected Representatives Code of Conduct Policy

Rationale

The Elected Representatives Code of Conduct guides and enhances the performance of Elected Representatives in a positive and productive way. It provides consistent answers to common questions about appropriate decision-making by Elected Representatives.

The Elected Representatives Code of Conduct outlines firm standards of behaviour as statements of principle where necessary. It establishes that Elected Representatives are accountable to themselves, to Students' Council, and to all SAMU Members.

Definitions

A Complaint is a formal written expression of dissatisfaction regarding the conduct of an Elected Representative in accordance with this policy

The **Complainant(s)** are one or more individuals who have made a Complaint against an Elected Representative.

A Conflict of Duty is a set of circumstances in which an Elected Representative holds a position in another organization, and the duties of that position may conflict or may reasonably be perceived to bias their judgment in the exercise of an official power, duty, or function.

A Conflict of Interest is a set of circumstances in which the Private Interests of an individual, or a Directly Associated Person may reasonably be perceived to bias a decision maker's judgment in the exercise of an official power, duty, or function.

A Directly Associated Person is any person or entity associated with a member of Students' Council, Chief Returning Officer, Chair of Students' Council, or Student-at-Large, including a family member, interdependent adult, close personal friend, business associate or partner, or any corporation, joint venture partnership, or business entity. Members of Students' Council do not fall within the definition of a Directly Associated Person.

An **Elected Representative** is a SAMU Member that is either elected or appointed to Students' Council or the Executive Committee through the election process or a vote of Council.

A Private Interest or Benefit is any matter which would be of direct professional or monetary benefit to an Elected Representative or a Directly Associated Person, not including benefits to broader groups of students. Also, any matter involving the appointment of that Representative or a Directly Associated Person to a position or role inside or outside the Students' Association. Also, any gift of greater value than a socially or professionally acceptable token of appreciation.

Professional Misconduct is violations of SAMU policies or behaviour by an Elected Representative which otherwise brings the reputation of SAMU into disrepute.

A Respondent is an Elected Representative whom a complaint has been made against.

SAMU Member(s) are defined as per SAMU Bylaws as the general membership that are enrolled in a credit course at the University, pay SAMU fees and have access to all SAMU programs and services, including the ability to run for Students' Council.

Students' Council refers to the highest governing body at SAMU. Composed of 19 Students' that make up the Elected Representatives.

The **University** is the short form used in place of MacEwan University.

Expectations

Representing the Students' Association of MacEwan University (SAMU)

1. Elected Representatives represent SAMU when carrying out their roles and responsibilities, including, but not limited to:
 - 1.1. meeting with University staff, faculty, or government officials;
 - 1.2. attending any formal event or meeting of SAMU;
 - 1.3. attending any university committee or governing body, as either a visitor or member;
 - 1.3.1. Students' Councillor appointed to MacEwan Committees as a Student-at Large member do not represent SAMU in that capacity.
 - 1.4. attending any SAMU committee that makes them privy to confidential information;
 - 1.5. making financial decisions within the purview of their official role;
 - 1.6. interacting with SAMU Members in a way required by their official role;
 - 1.7. communicating with the media in their role;
 - 1.8. participating in student group events in their role as an Elected Representative;
 - 1.9. attending a social or professional function or meeting by virtue of their position;
 - 1.10. when their action or inaction may reasonably be perceived to bring SAMU Membership into disrepute;
 - 1.11. when interacting with SAMU Members in a way that could reasonably be perceived as relevant to their official role; or



1.12. as determined case-by-case with a special resolution of Students' Council.

Ethical Conduct

2. Elected Representatives shall not impose any religious or political affiliations onto the Students' Association.
3. Elected Representatives shall govern SAMU by democratic principles and practices, statutes of Provincial and Federal law, SAMU governing documents, and accepted standards for Robert's Rules of Order.
4. Elected Representatives shall cooperate fully with investigations, audits, or reviews by internal, or external government regulatory, and law enforcement agencies.
 - 4.1. Elected Representatives shall refrain from making false or misleading statements and from attempting to withhold or falsify relevant documentation.
5. Elected Representatives shall maintain the highest standards of behavior when they could reasonably be considered to be representing SAMU.
6. In the performance of their duties, Elected Representatives shall keep a professional standard of language regarding subject matter, profanity, and respect for parties both present and absent, and shall not engage in malicious gossip or slander.
7. Elected Representatives shall represent the interests of all undergraduate students at MacEwan University, regardless of identity or opinion, and shall behave as such.
8. Elected Representatives shall dress appropriately while attending official meetings and functions of the SAMU or the University.
9. Elected Representatives shall be aware of and abide by all applicable SAMU Bylaws, Policies, and Procedures.
10. Elected Representatives have a fiduciary duty to act in the best interest of the SAMU and its Members.
11. Elected Representatives shall respect the decisions of Students' Council and its committees by acting collectively and avoiding expressing individual perspectives contrary to the final decision.
12. Elected Representatives who sit on the Executive Committee have additional ethical responsibilities as laid out in the Executive Committee Performance Procedure.

Confidentiality

13. All Elected Representatives sign a confidentiality agreement at the time of their election or appointment and are required to abide by the spirit and intent of the agreement.



14. In keeping with the highest standards of integrity, Elected Representatives shall respect the confidentiality of Students' Council by:
 - 14.1. Disclosing only appropriate levels of information at appropriate times;
 - 14.2. Safeguarding sensitive legal, strategic, or personal information disclosed in confidence or accidentally;
 - 14.3. Respecting the privacy of in-camera meetings;
 - 14.4. Refraining from discussing details of contracts and business arrangements, including donations or terms of employment;
 - 14.5. Safeguarding details of decisions, processes, investigations, or policy changes that have not yet been finalized or made public;
 - 14.6. Not using confidential information in ways that may constitute Private Interest or Benefit; and
 - 14.7. Properly disposing of confidential information.
15. Complex questions of confidentiality, such as when personal safety or Conflict of Duty are involved, should be discussed with the Chair of Students' Council or the Chair of the Committee as appropriate.
16. A breach of confidentiality may constitute Professional Misconduct if it brings SAMU into disrepute or can be proven to be deliberate.

Conflict of Duty

17. An Elected Representative shall disclose any real, potential, or perceived Conflict of Duty to the Chair of Students' Council, or the Chair of their Committee in a prompt and forthcoming manner.
18. Should an Elected Representative disclose a potential Conflict of Duty, Students' Council shall decide by a simple majority vote whether the official has a Conflict of Duty sufficient to prevent participation in a discussion or decision.
19. Elected Representatives may, at their discretion, join and participate in organizations so long as their participation does not create or could be perceived to create a Conflict of Duty.
20. Elected Representatives do not automatically suffer from a Conflict of Duty by serving on University Committees or Councils, Student Groups, or other organizations.



21. A real or perceived Conflict of Duty may constitute Professional Misconduct if it brings SAMU into disrepute.
22. In the interests of the welfare and reputation of SAMU Members, Elected Representatives should make every effort to serve all positions in or outside SAMU faithfully.

Conflict of Interest

23. An Elected Representative has a Conflict of Interest when they are in a position to influence a SAMU or University decision, when they reasonably ought to know that the decision may result in a real, potential, or perceived Private Benefit to themselves or a Directly Associated Person, including but not limited to:
 - 23.1. When involved in a selection or hiring process in which they or a Directly Associated Person are a candidate;
 - 23.2. When increasing remuneration for themselves or a Directly Associated Person;
 - 23.3. When involved in a decision for a student group in which they are also an executive;
 - 23.4. Having undeclared interests external to SAMU, including other employment or Membership to other organizations which influences decisions of SAMU;
 - 23.5. Engaging in personal activities, political allegiances, and/or external employment that has heavy influence upon the ability of any SAMU representative or employee to fulfill the responsibilities associated with their position.
24. An Elected Representative generally does not have a Conflict of Interest:
 - 24.1. When involved in a decision for a student group in which they are also a non-executive Member;
 - 24.2. When voting to include themselves in a committee or subcommittee, unless the issue is contentious;
 - 24.3. When involved in a decision which would benefit a larger group to which they belong, such as decisions made for the benefit of an entire faculty;
 - 24.4. When voting to amend a meeting agenda to include a matter of Private Benefit;
 - 24.5. When voting on their own excusal motion;
 - 24.6. When remaining in the room during discussion of a matter of Private Benefit, unless required to depart by:
 - 24.6.1. Relevant policy or procedure;



- 24.6.2. The discretion of the Chair; or
- 24.6.3. Consensus of the Council or committee.
- 25. An Elected Representative shall disclose any real, potential, or perceived Conflict of Interest to Students' Council or to the Chair of the committee in a prompt and forthcoming manner.
- 26. If an Elected Representative discloses a potential Conflict of Interest to Students' Council or a committee, that body shall decide by simple majority vote whether the Elected Representative has a Conflict of Interest sufficient to prevent participation in a decision.
- 27. An Elected Representative who participates in a selection or hiring process shall:
 - 27.1. Avoid all appearance of a Conflict of Interest relating to themselves or a Directly Associated Person;
 - 27.2. Abstain from any vote to select or approve an individual submission to which they or a Directly Associated Person have contributed;
 - 27.3. Respect confidentiality in all related matters;
 - 27.4. Apply due diligence and impartiality to evaluation and selection of all other submissions; and
 - 27.5. Vote as normal on the approval of any submission list that includes an individual submission to which they or a Directly Associated Person have contributed.
- 28. A Conflict of Interest may constitute Professional Misconduct.

Professional Misconduct

- 29. Such conduct may include but is not limited to:
 - 29.1. abusing a person verbally, physically, emotionally, or sexually;
 - 29.2. breaching municipal, provincial, or federal legislation or regulation;
 - 29.3. misappropriating the personal property of others or SAMU resources;
 - 29.4. falsifying records;
 - 29.5. inappropriately using one's position within SAMU for personal gain;
 - 29.6. publishing or causing to be published, information that is false, fraudulent, deceptive, misleading, or in violation of policy.



Compliance

30. Elected Representatives charged under the Code of Conduct hold rights, including but not limited to:

- 30.1. The right to know their accuser's identity
- 30.2. The right to know the full details of the accusation;
- 30.3. The right to prepare a full and fair response;
- 30.4. The right to a complete, proper, fair, and unbiased investigation;
- 30.5. The right to know the outcome of the Complaint and receive the reasoning for that outcome.

31. Individuals who raise Complaints under the Code of Conduct hold rights, including but not limited to:

- 31.1. The right to a confidential process except as required for the fairness of the process;
- 31.2. The right to be free from retaliation;
- 31.3. The right to have their Complaint investigated impartially and unbiasedly;
- 31.4. The right to know the outcome of their Complaint and receive the reasoning for that outcome.

Complaint Process

32. An individual who wishes to make a complaint will follow the process laid out in the Elected Representatives Code of Conduct Complaint Procedure

Disciplinary Action

33. Violations of the Code of Conduct are punishable per the Elected Representatives Disciplinary Action Policy



Appendix A:

Students' Association of MacEwan University (SAMU) Elected Representatives Code of Conduct Acknowledgement Form

I, _____, hereby certify that I have been provided a copy of SAMU's Elected Representatives Code of Conduct policy. I understand that I should consult with Students' Council for further clarification on any aspect of the Code of Conduct on which I have any questions.

I have read and acknowledge that I understand and agree to abide by the Elected Representatives Code of Conduct policy as well as all other SAMU Bylaws, policies, procedures, and any other guiding documentation.

I will conduct my work on behalf of SAMU with the highest integrity and commitment to the principles stated in the Code of Conduct policy. I understand that any violations may lead to disciplinary action, up to and including impeachment, as deemed and determined to be appropriate per the Elected Representatives Disciplinary Action policy.

Signed this _____ day of _____, 20____ at, Edmonton Alberta

Signature

Printed Name



Fact Sheet

Approvals:

First Approval – October 19, 2022

Last Approval –

Date of Last Review –

Related Documents and Forms:

Source and Updates:

October 19, 2022: *Elected Representatives Code of Conduct Policy* approved by Students' Council motion 2022-10-19-7.2 on the recommendation of the Bylaws and Policy Committee. Source material drawn from the *Conduct* policy.