

# Quinte Region Source Protection Area

## Source Protection Committee Member's Handbook

**Operating Policy**  
**Rules of Procedure**  
**Code of Conduct**  
**Conflict of Interest**

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# QUINTE REGION SOURCE PROTECTION COMMITTEE

## OPERATING POLICY

### 1. PREAMBLE

- 1.1 The source protection committee established by the source protection authority for the Quinte Region Source Protection Area under section 7 of the *Clean Water Act*, S.O. 2006 is responsible for the preparation of terms of references, assessment reports and source protection plans for the Quinte Region Source Protection Area in accordance with the Act, regulations and Director's Rules.
- 1.2 The Committee consists of a Chair, 5 municipal sector seats, 5 economic/business sector seats, 5 public sector seats and 2 First Nations seats. In addition there are three Liaison Seats consisting of a representative from the Quinte Authority (Quinte Conservation), the Ministry of the Environment and the Health Unit.
- 1.3 These policies shall be reviewed by the Committee within 12 months of being approved by the Authority and every 24 months thereafter.
- 1.4 These policies may be reviewed upon a vote by the Committee.
- 1.5 The members of the Committee, as appointees by the Authority, are considered to be persons that have a genuine interest in protecting the sources of drinking water in the Quinte Conservation watersheds. Members bring to the committee a wide range of relevant knowledge and expertise relating to the committee's role, acquired as a result of experience in both the private and public sector. Committee members join the committee to contribute to the source protection planning process under the *Clean Water Act*, S.O. 2006.
- 1.6 The Committee and its members speak for the interests of the public in matters of drinking water source protection. The procedures set out below are not intended to restrict or limit Members in their desire to protect drinking water sources, rather they are intended to provide a framework to achieve the Committee's mandate in an effective and efficient manner; a manner in which the public and the sectors represented will have confidence in the decisions of the Committee.

### 2. DEFINITIONS

For the purposes of these policies,

- 2.1 Committee – means The Quinte Region Source Protection Committee as formed under Ontario Regulation 288/07 pursuant to the Clean Water Act R.S.O. 2006.

- 2.2 Chair – means the Chairperson of the Committee appointed by the Minister of the Environment.
- 2.3 Authority – means the Quinte Region Source Protection Authority consisting of the Executive Board of Quinte Conservation.
- 2.4 Municipalities – means lower, upper and single tier municipalities that are in whole or in part within the jurisdiction of Quinte Conservation.
- 2.5 Member – means a member of the Committee other than the Liaison Members.
- 2.6 Liaison Members – means a representative appointed to the Committee from the Quinte Source Protection Authority, the Ministry of the Environment and the Health Unit.
- 2.7 FIPPA – means the Freedom of Information and Protection of Privacy Act.
- 2.8 MFIPPA – means the Municipal Freedom of Information and Protection of Privacy Act
- 2.9 Project Manager – means the person hired by Quinte Conservation to manage the Source Protection Program.

### 3. COMMITTEE MEMBERSHIP

- 3.1 The membership of the committee shall be in accordance with O.Reg. 288/07 under the Clean Water Act, R.S. O. 2006 and shall include up to 24 voting members plus the chair.
- 3.2 In addition to the voting members, three liaison members may participate in discussions at meetings of committee including any meetings or part of a meeting that is closed to the public. The liaison members include persons:
- 3.2.1 designated by the source protection authority as a representative of the source protection authority;
  - 3.2.2 designated by the Minister as a representative of the Ministry of the Environment;
  - 3.2.3 designated by the Minister as a representative of the medical officers of health for the health units in which any part of the source protection region is located.
- 3.3 Liaison Members:
- 3.3.1 May attend and participate in discussions at meetings of a Committee including any meetings or part of a meeting that is closed to the public;

- 3.3.2 Are subject to the procedures detailed herein;
  - 3.3.3 Do not vote; and
  - 3.3.4 Are not considered when determining quorum.
- 3.4 A committee member may be removed from office for failure to comply with Section 7 of O. Reg. 288/07.
- 3.5 The term of appointment and filling of vacancies shall be in accordance with sections 8 and 9 of O. Reg. 288/07. Upon a vacancy arising from the death, incapacity, resignation or continued absence of a member of the committee, the vacancy shall be filled in accordance with any procedures set out in the Clean Water Act and the regulations. Where the Act and regulations are silent on a matter, the lead source protection authority will proceed to fill the vacancy.

## 4. ROLES AND RESPONSIBILITIES

### 4.1. COMMITTEE MEMBERS

Without limiting the generality of the following, the duties of a source protection committee member are to:

- 4.1.1 Regularly attend meetings of the Committee (and any applicable working groups) throughout the duration of the appointment;
- 4.1.2 Gain the necessary knowledge over time to understand technical reports that the Committee will receive for comment and action;
- 4.1.3 Contribute positively to the production of a Terms of Reference, Assessment Report and Source Protection Plan;
- 4.1.4 Review reports and materials (including scientific and technical reports) in advance of meetings;
- 4.1.5 Provide constructive and collaborative input on local Drinking Water Source Protection Planning issue(s);
- 4.1.6 Attend and participate in public meetings, information sessions and consultation forums;
- 4.1.7 Review material provided in advance of a meeting when that material has been provided in a timely fashion;
- 4.1.8 Provide requested input in a timely fashion;

- 4.1.9 Demonstrate an ability and willingness to weigh different points of view;
- 4.1.10 Respect confidential information and abide by the processes in place to safeguard confidential information;
- 4.1.11 Act proactively as a liaison to bring forward common concerns from knowledge and experience in the sector represented to the Committee and assist in communicating the Committee's work to the sector represented;
- 4.1.12 Make decisions at the Committee table;
- 4.1.13 Work collaboratively on the Committee and with other Drinking Water Source Protection partners such as community stakeholder groups;
- 4.1.14 Attend training sessions including: legislative responsibilities of the Committee; procedures developed by the Province of Ontario for Drinking Water Source Protection Planning; and technical training;
- 4.1.15 Respect confidential information and abide by the process in place to safeguard confidential information according to the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA). Training on MFIPPA is provided;
- 4.1.16 Comply with the operating policies, rules of procedure, code of conduct and conflict of interest policies, as approved by the Authority; and
- 4.1.17 Other roles and responsibilities as determined by the Authority and the Ministry of the Environment.

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## 4.2 COMMITTEE CHAIRPERSON

The chair of the committee shall provide direction for all phases of the committee's activities and shall see that all business of the committee is conducted in a fair and just manner and shall in particular:

- 4.2.1 Represent the Committee at such functions as warrant the interest of the Committee, except where this responsibility is specifically assigned to some other person;
- 4.2.2 Advise and work with the Project Manager in the operation and administration of the Committee;
- 4.2.3 Be an "ex-officio" member of all Working Groups and Sub Committees appointed from time to time by the Committee;

4.2.4 Preside over the Committee meetings; and

4.2.5 Be responsible for official communications on behalf of the committee.

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#### 4.3 PROJECT MANAGER

The project manager of the committee, an employee of the lead conservation authority, under the direction of the chair shall:

4.3.1 Administer and coordinate the total program of the committee;

4.3.2 Direct the preparation of material or projects to be undertaken by the committee and to provide such reports as might be from time to time requested by the committee;

4.3.3 Be responsible for all documentary requirements necessary to obtain approval under the *Clean Water Act*;

4.3.4 Provide communications support for the committee;

4.3.5 To be responsible for the preparation of reports and correspondence to other agencies, governments and individuals dealing with the policy of the committee on particular items; and

4.3.6 Be responsible for official communications, in concert with the chair, on behalf of the committee.

#### 5. MEETING PER DIEM AND EXPENSES

5.1 The chair shall receive compensation from the province with the terms of appointment of the chair.

5.2 The Authority sets the per diem rate and expenses for Committee members.

5.3 Per Diem will be based on 2 hours minimum up to a full day for Committee meetings for a full per diem rate which includes travel and preparation time.

5.4 Per Diem rates for Committee business outside the Committee meetings will be paid if participation is pre-approved by the Chair or Project Manager.

5.5 Per Diems for meetings where quorum is not met shall be paid to those in attendance.

5.6 Mileage will be paid to members that provide their own transportation to meetings.

5.7 Schedule B provides the current per diem and expense rates.

5.8 Members participating by phone or electronic means are entitled to per diems but not travel expenses.

## 6. INDEMNITY

6.1 Indemnity is provided to each committee member in accordance with section 99 of the *Clean Water Act, S.O. 2006*.

## 7. ACKNOWLEDGEMENT

7.1 Each member shall be required to review a copy of the operating policy and acknowledge in writing that he or she has done so.

7.2 The source protection authority will retain a copy of the signed acknowledgement.

# QUINTE REGION SOURCE PROTECTION COMMITTEE

## RULES OF PROCEDURE POLICY

### 1. PREAMBLE

- 1.1 The source protection committee established by the lead source protection authority for the Quinte Region Source Protection Area under section 7 of the *Clean Water Act, S.O. 2006* is responsible for the preparation of terms of references, assessment reports and source protection plans for source protection areas in accordance with the Act, regulations and director's rules.
- 1.2 Members bring to the committee a wide range of relevant knowledge and expertise relating to the committee's role, acquired as a result of experience in both the private and public sector. Committee members join the committee to contribute to the source protection planning process under the *Clean Water Act, S.O. 2006*.
- 1.3 The purpose of these rules of procedure are to govern the procedure of meetings of the Quinte Region Source Protection Committee and are made pursuant to the *Clean Water Act, S.O. 2006*, as amended and O.Reg 288/07.

### 2. DEFINITIONS

For the purposes of these policies,

- 2.1 Committee – means The Quinte Region Source Protection Committee as formed under Ontario Regulation 288/07 pursuant to the Clean Water Act R.S.O. 2006.
- 2.2 Chair – means the Chairperson of the Committee appointed by the Minister of the Environment.
- 2.3 Authority – means the Quinte Region Source Protection Authority consisting of the Executive Board of Quinte Conservation.
- 2.4 Municipalities – means lower, upper and single tier municipalities that are in whole or in part within the jurisdiction of Quinte Conservation.
- 2.5 Member – means a member of the Committee other than the Liaison Members.
- 2.6 Liaison Members – means a representative appointed to the Committee from the Quinte Source Protection Authority, the Ministry of the Environment and the Health Unit.

- 2.7 Project Manager – means the person hired by Quinte Conservation to manage the Source Protection Program.

### 3. STATUTORY REQUIREMENTS

- 3.1 Sections 12 through 22 of O.Reg. 288/07 govern the operation of the committee (attached hereto as Schedule 1).
- 3.2 Where any procedures herein conflict with O.Reg. 288/07, the regulation shall take precedence.

### 4. MEETING RULES AND PROCEDURE

- 4.1 The Chair shall preside at all meetings of the Committee.
- 4.2 The conduct of meetings of the Committee shall adhere to the current edition of Robert's Rules of Order except as addressed herein.
- 4.3 If the chair is absent or unable to act or the office of the chair is absent, the remaining members will draw lots to select an acting chair, and the acting chair will have all the powers and shall perform all duties of the chair.
- 4.4 The Chair of the Committee shall determine the time and location of the first meeting of the SPC.
- 4.5 Notice of all meetings shall be sent via email to all members, liaison members, municipalities and at least 2 weeks prior to the meeting unless the meeting has already been determined and posted in advance. Notice of the meetings shall be sent to the media the beginning of the week of the meeting.
- 4.6 Delegations to a Committee meeting must give 2 weeks notice of their interest in making a presentation. The request should comprise a brief statement of the issue or matters involved and indicate the names of the proposed speakers. Presentations are limited to 10 minutes of presentation plus discussion time. Discussion after the presentation will be limited to 10 minutes. The Chair may invite further questions that will be directed through the chair. Delegations with written information for consideration of the Committee will provide same 2 weeks prior to the meeting.
- 4.7 The Committee shall, at its first meeting and every six months thereafter, establish a meeting schedule for the following six months which shall include at least one meeting each month until proposed terms of reference are submitted to the Authority. Thereafter, the Chair shall call regular meetings of the committee.

- 4.8 The Chair may call special meetings by giving two weeks notice if the business of the Committee or training requires such a meeting.
- 4.9 The Committee shall give notice of Committee meetings to the public by posting on the Internet and in such other manner as may be determined by the Committee. The notice will be posted on the website at least one week before the date of the meetings. The notice shall include the time and place of the meeting.
- 4.10 The source protection committee shall keep minutes of its meeting and shall publish the minutes on the website. Any minutes of in-camera sessions will not be available to the public. In-camera minutes will be distributed only to the committee members at the following meeting for consideration and collected at that meeting.
- 4.11 The minutes of all meetings of the committee shall be recorded by the project manager or his or her designate.
- 4.12 When practicable, within 21 days after any meeting or at least 7 days before an upcoming meeting, the project manager or his or her designate shall email or send a copy of the draft minutes of that meeting to the committee members. The minutes will be approved at the following meeting. Approved minutes will be posted on the website.
- 4.13 Approved minutes will be posted on the website [quintesourcewater.ca](http://quintesourcewater.ca)
- 4.14 All meetings of the Committee are open to the public, except where the Committee chooses to close a meeting or part of a meeting to the public where the subject matter to be discussed is a personal or financial matter about an identifiable individual.
- 4.15 The Committee shall not close a meeting or part of a meeting to the public unless it has passed a resolution that:
- a. States that the meeting or part of the meeting is closed to the public
  - b. States the general nature of the subject matter to be discussed in the absence of the public.

## 5. APPOINTMENTS

- 5.1 The Minister appoints the chair.
- 5.2 Committee members are appointed by the Source Protection Authority, and are made pursuant to the *Clean Water Act, S.O. 2006*, as amended and O.Reg 288/07.
- 5.3 If there is no chair in attendance or the Chair is unable to act, the remaining members shall appoint an acting chair from among themselves, and the acting chair has all the powers and shall perform all duties of the Chair.

5.4 The role of recording secretary will be carried out by a staff member.

## 6. FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY

6.1 The Committee members shall be governed at all times by the provisions of the *Freedom of Information and Protection of Privacy Act (FIPPA)*.

6.2 The Committee members shall be governed at all times by the provisions of the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*.

6.3 In keeping with *the Freedom of Information and Protection of Privacy Act*, all meetings are open to the public; all matters arising out of Committee meetings, and supporting technical reports shall form part of the public record and shall be available for public review immediately upon request. Exceptions to the foregoing include the following matters:

- a. Personnel Records or issues
- b. On-going Property Negotiations
- c. Court cases in which the Committee is involved
- d. Discussions which could adversely affect the interests of a third party
- e. A personal or financial matter about an identifiable individual.

6.4 In the instance where a committee member vacates his or her position on the source protection committee they will continue to be bound by *MFIPPA* requirements.

## 7. QUORUM

7.1 Quorum of the Committee is the Chair or acting Chair plus at least two thirds of the number of members of the Committee.

7.2 Vacancies in the membership of the Committee do not prevent the Committee from conducting business as long as the number of members remaining in office is sufficient to maintain quorum (2/3 of remaining members).

7.3 The business of the Committee shall be carried out at meetings of the Committee at which quorum is present.

7.4 Proxies and members attending by telephone or electronic means shall be considered as being present for the purposes of the quorum.

7.5 If no quorum is present one-half hour after the time appointed for a meeting of the committee, the project manager records the names of those present and the meeting shall stand adjourned until the next meeting.

7.6 If quorum is lost due to the declaration of a pecuniary interest the meeting will

continue.

## 8. DECISION MAKING

- 8.1 The agenda of the meeting shall be conducted in the order in which it is presented on the agenda unless otherwise decided by the committee.
- 8.2 The agenda shall contain an estimate of time required for each agenda item and the committee shall attempt to abide with the time allocated to each item.
- 8.3 The Committee shall attempt to make decisions by consensus among the members. The Chair shall determine if there is consensus by posing the questions “Do I have consensus?” or “Are there any objections?” If no objections are made consensus will be considered to have been achieved and the minutes shall record that consensus was achieved.
- 8.4 If the chair determines that reasonable efforts have been made to achieve consensus but the Committee has been unable to make a decision by consensus, the decision may be made by a vote of the two-thirds of the members present, not counting the chair.
- 8.5 Where a member abstains, that member shall not be considered in the determination of the 2/3s majority necessary to achieve an affirmative vote. However, the abstaining member will be considered as being present when a quorum is considered.
- 8.6 The Chair shall not vote. When a member has been selected as acting chair, as per section 1.1.3., that person may assign their proxy prior to the commencement of the meeting to a member who is present at the meeting for the purposes of voting.

## 9. PROXY TO MEETINGS

- 9.1 Members may provide a proxy to another voting member. The chair shall be notified by the member that their proxy is being given to another member by name. The proxy shall be given using the form as set forth in Schedule A to this policy or by written notice (letter or email) to another member of the committee or the project manager and a copy has been provided to the Chair before the meeting.
- 9.2 No member may hold more than one proxy.
- 9.3 Where a proxy is provided, the member holding the proxy shall be entitled to speak for and vote for the member whose proxy the member holds.

## 10. ELECTRONIC PARTICIPATION

- 10.1 Members are encouraged to attend meetings in person. However, they may with good reason, attend meetings by telephone or electronic means.
- 10.2 During any period where an emergency has been declared to exist by the Province or by municipalities (in all or part of an area over which a source protection authority has jurisdiction) that may prevent members of the SPC from meeting in person:
  - 10.2.1 The chair, members, liaisons of the SPC, and SPA staff shall participate in meetings electronically, which shall include the ability of members participating electronically to register votes.
  - 10.2.2 Any member of the SPC who is participating electronically in a meeting shall be counted in determining whether or not a quorum of members is present at any point in time during the meeting.
  - 10.2.3 Any member of the SPC who participates in a meeting electronically is eligible to receive a meeting per diem. Mileage will not be paid in instances of electronic meetings.
- 10.3 Members attending by telephone or electronic means shall be considered as being present for quorum purposes and voting purposes.
- 10.4 The SPC shall ensure an alternative means to allow the public to participate in the SPC meetings electronically.
- 10.5 The SPC shall ensure that the electronic meeting information is publicly available on a website prior to the meeting date.

## 11. REPORTING

- 11.1 The Chair, with the assistance of the Project Manager, will provide a quarterly report to the Authority, within 30 days of the end of a quarter.
- 11.2 The Chair reports to the Minister of the Environment.
- 11.3 The Project Manager is an employee of Quinte Conservation and reports to the General Manager of Quinte Conservation.
- 11.4 The Project Manager assists the chair and the Committee with the day to day operation of the Committee.

## 12. REMOVAL OF MEMBERS

- 12.1 The rules and procedures for the removal of a Committee member are outlined in Regulation 288/07 section 22.

### 13. ACKNOWLEDGEMENT

- 13.1 Each member shall be required to review a copy of these rules of procedure and acknowledge in writing that he or she has done so.
- 13.2 The lead source protection authority will retain a copy of the signed acknowledgement.

## QUINTE REGION SOURCE PROTECTION COMMITTEE CODE OF CONDUCT POLICY

### 1. PREAMBLE

- 1.1 Committees established by source protection authorities under section 7 of the *Clean Water Act, 2006* are responsible for the preparation of terms of references, assessment reports and source protection plans for source protection areas in accordance with the Act, regulations and Director's rules.
- 1.2 Members bring to the Committee a wide range of relevant knowledge and expertise relating to the Committee's role, acquired as a result of experience in both the private and public sector. Members join the Committee to contribute to the source protection planning process under the *Clean Water Act, 2006*.
- 1.3 The purpose of this Code of Conduct is to set out the standard of conduct expected of Members appointed by source protection authorities.
- 1.4 The Code of Conduct applies to any consultants or working group or other third party working with or on behalf of Committee.

## 2. DEFINITIONS

For the purposes of this Code, the following definitions apply:

- 2.1 “**Code**” means this Code of Conduct
- 2.2 “**Commercial Information**” means information that relates solely to the buying, selling or exchange of merchandise or services by both profit-making enterprises and non-profit organizations;
- 2.3 “**Confidential information**” means commercial information, information about a third party, material information about a pending government decision or announcement or any other information that is not in the public domain regardless of whether it is identified as confidential that is obtained by the member in the course of serving on the committee. For example, the following information should not be released:
- personal information about any individual
  - items under litigation
  - personnel matters
  - information about suppliers provided for evaluation which might be useful to competitors
  - sources of complaints about a variety of matters where the identity of the complainant is given in confidence
  - items under negotiation
  - information supplied in support of licence applications, etc., where such information is not part of the public documentation
  - schedule of prices in contract tenders The preceding is not an exclusive list.
- 2.4 “**Gift**” includes any money, thing, intangible or personal benefit that may reasonably be seen to compromise the personal judgement or integrity of a member, but does not include nominal gifts, gratuities, hospitality or favours that do not create a sense of obligation to the giver.
- 2.5 “**Harassment**” may include, but is not limited to the following:
- (a) **Violence or Bullying** - the exercise, statement, or behaviour of physical force by one person against another, in a workplace, that causes or could cause physical injury, such as:
- Physical acts (e.g., hitting, shoving, pushing, kicking, sexual assault, throwing an object at a member, kicking an object the member is standing on such as a ladder, or trying to run down a member using a vehicle or equipment such as a forklift);
  - Any threat, behaviour, or action which is interpreted to carry the potential to harm or endanger the safety of others, result in an act of aggression, or destroy or damage property; or

- Disruptive behaviour that is not appropriate to the work environment (e.g., yelling or swearing).
- (b) Personal Harassment** - any unsolicited, unwelcome, disrespectful, or offensive behaviour that has an underlying sexual, bigoted, ethnic, or racial connotation and can be typified as:
- Behaviour that is hostile in nature, or intends to degrade an individual based on personal attributes, including age, race, nationality, disability, family status, religion, gender, sexual orientation, gender identity, gender expression, or any other protected ground under human rights legislation.
  - Sexual solicitation or advance made by a person in a position to confer, grant, or deny a benefit or advancement to the person, where the person making the solicitation or advance knows or ought reasonably to know that it is unwelcome;
  - Reprisal or a threat of reprisal for the rejection of a sexual solicitation or advance
  - where the reprisal is made or threatened by a person in a position to confer, grant, or deny a benefit or advancement to the person.
  - Unwelcome remarks, jokes, innuendos, propositions, or taunting about a person's body, attire, sex or sexual orientation, or religion;
  - Suggestive or offensive remarks;
  - Bragging about sexual prowess;
  - Offensive jokes or comments of a sexual nature about an employee;
  - Unwelcome language related to gender;
  - Displaying of pornographic or sexist pictures or materials;
  - Leering (suggestive persistent staring);
  - Physical contact such as touching, patting, or pinching, with an underlying sexual connotation;
  - Sexual assault:
  - For the most part, victims of sexual harassment are female; however, conduct directed by female employees towards males or between persons of the same sex can also be held to constitute sexual harassment;
  - Any actions that create a hostile, intimidating, or offensive workplace, which may include physical, verbal, written, graphic, or electronic means; and
  - Any threats of physical violence that endanger the health and safety of the employee.
- (c) Racial/Ethnic Harassment** - any conduct or comment which causes humiliation to an employee because of their racial or ethnic background, their colour, place of birth, citizenship, or ancestry. Examples of conduct which may be racial or ethnic harassment include:
- Unwelcome remarks, jokes, or innuendos about a person's racial or ethnic origin;

- Colour, place of birth, citizenship, or ancestry;
- Displaying racist or derogatory pictures or other offensive material;
- Insulting gestures or practical jokes based on racial or ethnic grounds which create awkwardness or embarrassment; and
- Refusing to speak to or work with someone or treating someone differently because of their ethnic or racial background.

2.6 **“Private Interest”** includes the financial or material interests of a Member and the financial or material interests of a member of the Member’s immediate family;

2.7 **“Prohibited Activities”** means:

2.7.1 Seeking or accepting a gift in connection with their capacity as Member;

2.7.2 Attempting to influence Committee decisions to further the Member’s Private Interest or the interests of a third party, including participating in a matter before the Committee, or making representations to another Member about a recommendation or decision that the Member should make and, at the same time, knowing or ought to know that in the recommendation or decision is the opportunity, or the reasonable appearance of an opportunity, for the Member to further his or her own Private Interest;

2.7.3 Using Confidential Information for any improper purpose, which includes using Confidential Information to the benefit of the Member’s Private Interest:

2.7.4 Taking an action in their capacity as a Member that involves dealing with oneself in a private capacity that confers a benefit on oneself.

### 3. PROHIBITED ACTIVITIES

3.1 Attempting to influence Committee decisions to further the Member’s private interest or the interests of a third party other than the interest of the sector that the member presents.

3.2 Disclosing confidential information to third parties without the consent of party to whom the information relates.

3.3 Misrepresenting their role as a Member to a third party to further the Member’s private interest.

3.4 Holding oneself out as an official of the Government of Ontario, or Quinte Conservation or inferring to a third party that the Member has the capacity to deliver a favourable decision from either party.

3.5 Making representations to a third party that the Government of Ontario or Quinte Conservation has endorsed the business activity that the Member is engaged in.

- 3.6 Using the name Government of Ontario, Ministry of the Environment or Quinte Conservation for personal purposes or to further the Member's private interest.
- 3.7 Failing to disclose a Conflict of interest to the Chair or Minister as the case may be.
- 3.8 Making use of Quinte Conservation infrastructure and equipment for personal gain.

#### 4. APPLICATION AND SCOPE

- 4.1 This Code applies to all persons appointed to a Committee under section 7 of the *Clean Water Act, 2006*.

#### 5. PRINCIPLES AND CODE OF CONDUCT

- 5.1 Members of the Committee shall:
  - 5.1.1 Conduct themselves ethically, lawfully and with integrity;
  - 5.1.2 Act in the public interest, serving the mandate of the Committee as a whole, rather than serving the Member's Private Interest or other interests;
  - 5.1.3 Maintain a sense of fairness, independence and objectivity and treat others with respect;
  - 5.1.4 Refrain from placing themselves in Conflict of Interest situations and abide by the committee's conflict of interest policy;
  - 5.1.5 Disclose any actual, potential or perceived Conflict of Interest to the Chair of the Committee and to the Chair of the Authority or where the Chair is reporting, to the Minister and the Chair of the Authority;
  - 5.1.6 Refrain from engaging in any of the Prohibited Activities as described in this policy;
  - 5.1.7 Educate other Members on those matters within their own area of expertise with a goal of having the Committee make decisions collectively;
  - 5.1.8 Demonstrate their commitment to the Committee and to the source protection planning process through **high levels of attendance** and participation at Committee meetings.
  - 5.1.9 Every Member of the Committee, the staff, consultants and public are entitled to work in an environment that is free from discrimination and/or

harassment. The Chair will take prompt and appropriate action to prevent, discourage or respond to incidents of discrimination or harassment. Every Member, staff or consultant of the Committee will deal with others involved with the Committee in a fair and equitable manner free from discrimination and/or harassment.

- 5.2 A Member or volunteer who feels they are being harassed should:
- make it clearly known to the offender that their conduct is unacceptable and should not be repeated; and/or
  - discuss the situation, in confidence, with the Chair or Project Manager;
  - keep a short written record of dates, incidents and names of witnesses, if any;
  - if necessary, prepare a written complaint.
- 5.3 A member who has concerns about the conduct of another member regarding compliance with this code should raise those concerns with the chair.
- 5.4 A member who has concerns about the conduct of the chair regarding compliance with this code should raise those concerns with the Minister. The Minister will follow essentially the same process for addressing complaints as for dealing with declared conflicts of interest by the chair with modifications to suit the different circumstances
- 5.5 All correspondence between the Chair and the Minister regarding complaints or the disclosure of a conflict of interest shall be treated as personal information under the *Freedom of Information and Protection of Privacy Act*.

## 6. PROCEDURE WHERE MEMBER HAS ENGAGED IN PROHIBITED ACTIVITIES

- 6.1 Where a member, other than the chair, has engaged in a prohibitive activity, the chair may:
- 6.2.1. Request the lead source protection authority to investigate the matter and report to the chair with his or her findings or recommendations;
  - 6.2.2. Request that the member refrain from participating as a member of the committee pending the outcome of the investigation;
  - 6.2.3. Request that the member resign from the committee;
  - 6.2.4. Request that the lead source protection authority revoke the member's appointment in accordance with O. Reg. 288/07.
- 6.2 Where the chair has engaged in a prohibited activity, the lead source protection authority will contact the Minister to discuss the matter. The Minister may:

- 6.2.1. Request the lead source protection authority to investigate the matter and report to the Minister with its findings or recommendations;
- 6.2.2. Request that the chair refrain from participating as a member of the committee pending the outcome of the investigation
- 6.2.3. Request that the chair resign from the committee;
- 6.2.4. Take steps to revoke the chair's appointment.

## 7. CONFIDENTIAL INFORMATION

- 7.1 Members have access to confidential information by reason of their participation on the Committee. Members are bound by the rules of FIPPA and MFIPPA. Members must not make such information available unless it is public information. Where a Member is unsure of the status of information, before making any release he/she shall discuss it with the Project Manager.
- 7.2 Only the Chair or the Project Manager or designate shall comment to the media on policy matters. (This policy is not intended to restrict the ability of Members to express an opinion on non-Committee general interest matters, where the Member makes it clear that he/she is commenting as a private citizen and not in the capacity as a Member.)
- 7.3 All Members have an obligation to raise any concern with the Chair with respect to their compliance with this Code. The Chair will determine an appropriate response and communicate this to the Member.
- 7.4 The Chair has the obligation to raise any concern with the Minister and the Chair of the Authority with respect to their compliance with this Code. The Minister will determine an appropriate response and communicate this to the Chair and the Chair of the Authority.
- 7.5 Any member that ceases to be a member is still bound by the rules of FIPPA and MFIPPA with regards to private information that was divulged while sitting on the Committee.

## 8. ACKNOWLEDGEMENT

- 8.1 Each member shall be required to review a copy of this code of conduct and acknowledge in writing that he or she has done so.
- 8.2 The lead source protection authority will retain a copy of the signed acknowledgement.

# QUINTE REGION SOURCE PROTECTION COMMITTEE

## CONFLICT OF INTEREST POLICY

### 1. PREAMBLE

- 1.1 Local boards including the Committee must abide by Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50.

### 2. DEFINITIONS

- 2.1 **“Commercial Information”** means information that relates solely to the buying, selling or exchange of merchandise or services by both profit-making enterprises and non-profit organizations;
- 2.2 **“Confidential Information”** means information about a third party, material information about a pending government decision or announcement or any other information that is not in the public domain regardless of whether it is identified as confidential that is obtained by the Member in the course of serving on the Committee. For example, particular care should be exercised in releasing information relating to the following matters:
- personal information about any individual
  - items under litigation
  - personnel matters
  - information about suppliers provided for evaluation which might be useful to competitors
  - sources of complaints about a variety of matters where the identity of the complainant is given in confidence
  - items under negotiation
  - information supplied in support of license applications, etc., where such information is not part of the public documentation
  - schedule of prices in contract tenders
  - personal opinions regarding Authority policies, regulations and programs should not be given to the public
  - The preceding is not an exclusive list.
- 2.3 **“Gift”** means any money, thing, intangible or personal benefit or anything that may reasonably be seen to compromise the personal judgement or integrity of a Member, but does not include nominal gifts, gratuities, hospitality or favours that do not create a sense of business obligation to the giver;

- 2.4 **“Private Interest”** includes the financial or material interests of a Member and the financial or material interests of a member of the Member’s immediate family;
- 2.5 **“Prohibited Activities”** means:
- 2.5.1 Seeking or accepting a gift in connection with their capacity as Member;
  - 2.5.2 Attempting to influence Committee decisions to further the Member’s Private Interest or the interests of a third party, including participating in a matter before the Committee, or making representations to another Member about a recommendation or decision that the Member should make and, at the same time, knowing or ought to know that in the recommendation or decision is the opportunity, or the reasonable appearance of an opportunity, for the Member to further his or her own Private Interest;
  - 2.5.3 Using Confidential Information for any improper purpose, which includes using Confidential Information to the benefit of the Member’s Private Interest;
  - 2.5.4 Taking an action in their capacity as a Member that involves dealing with oneself in a private capacity that confers a benefit on oneself.

### 3. CONFLICT OF INTEREST

- 3.1 A A conflict of interest refers to a situation in which the Private Interests or personal considerations of the Member could compromise, or could reasonably appear to compromise, the Member’s judgment in acting objectively and in the best interest of the Committee. It is important to note that a conflict of interest exists if the decision could be, or could appear to be compromised. It is not necessary that compromise takes place.
- 3.2 A conflict of interest also includes using a Member’s position or Confidential Information for private gain or advancement or the expectation of private gain or advancement (e.g. direct or indirect financial interest in a matter, a contract or proposed contract with the Authority or its agent). A conflict may occur when an interest benefits any member of the Member’s family (spouse, partner, children, parents, and siblings), friends or business associates.
- 3.3 Members should not engage in private employment or render services for any person or corporation where such employment or services are considered a Conflict of Interest as defined by the Province of Ontario Conflict of Interest legislation. Where a Member is or becomes involved in such private employment, the Member must resign from the Committee.

## Exemption

Where a member is representing an organization on the Committee, that member shall not be considered to be in conflict of interest when representing that organization. The member shall declare such either when the agenda is being presented for approval or thereafter if a matter arises that is not in the minutes.

### 4. PPROCEDURE FOR DISCLOSING A CONFLICT OF INTEREST

- 4.1 A Member who has reasonable grounds to believe that he or she may have a Conflict of interest or that there may be an appearance of a conflict of interest, in respect of a matter that is before the Committee shall:
  - 4.1.1 Promptly disclose (verbally or in writing) the actual, potential or perceived Conflict of interest to the Chair or where the Member is the Chair, promptly disclose the Conflict of interest to the Acting Chair or if there is no Acting Chair, to the Committee; and
  - 4.1.2 Excuse themselves from the Committee meeting while the matter is under consideration. If the Member is participating via telephone or other electronic means, the Chair shall ensure that the Member is not able to listen to or participate in the discussion of the matter.
- 4.2 A Member who has disclosed an actual, potential or perceived Conflict of interest to the Chair or the Acting Chair or the Committee, as the case may be, shall refrain from voting or participating in the consideration of the matter, or from commenting on, discussing or attempting to exert his or her personal influence on another Member with respect to the matter.
- 4.3 The minutes of the meeting shall reflect the disclosure of the actual, potential or perceived Conflict of interest and whether the Member withdrew from the discussion of the matter.
- 4.4 If it is not entirely clear whether or not an actual, potential or perceived Conflict of interest exists, then the Member with the potential Conflict of interest shall disclose the circumstances to the Chair and the Chair shall decide if a conflict of interest exists
- 4.5 The Chair, as the case may be, will determine if there is a Conflict of Interest or if the Member's conduct has violated this policy, in a timely fashion, dependent on the complexity of the situations and will communicate his or her decision directly to the Member. The Chair may refer the matter to the Chair of the Authority.
- 4.6 A Member who has concerns about the conduct of another Member regarding compliance with this Code may raise those concerns with the Chair. The Chair shall

follow the same process for addressing complaints as for dealing with declared Conflicts of Interest with modifications to suit the different circumstances.

- 4.7 A Member who has concerns about the conduct of the Chair regarding compliance with this Code may raise those concerns with the Chair of the Authority.
- 4.8 All correspondence between the Chair and the Minister respecting the disclosure of a Conflict of interest shall be treated as personal information under the *Freedom of Information and Protection of Privacy Act*.

## 5. ACKNOWLEDGEMENT

- 5.1 Each member shall be required to review a copy of this conflict of interest policy and acknowledge in writing that he or she has done so.
- 5.2 The lead source protection authority will retain a copy of the signed acknowledgement.

## ACKNOWLEDGEMENT FORM

The undersigned have reviewed the Committee Member's Handbook, which includes: operating policies, rules of procedure, code of conduct, and conflict of interest policies, dated \_\_\_\_\_, and the undersigned further acknowledge understanding the within policies and accept compliance with these policies as a condition of appointment to the source protection committee of the Trent Conservation Coalition source protection region.

<b>Member</b>	<b>Sector</b>	<b>Signature</b>
Roger Cole	Municipal	
Pat Culhane	Municipal	
Jo-Anne Albert	Municipal	
Ernie Margetson	Municipal	
Ron Hamilton	Municipal	
Jack Alexander	Economic	
Gary Fox	Economic	
Heather Lang	Economic	
Bryon Keene	Economic	
Sandy Latchford	Economic	
Phil Norton	Other Interests	
Terry Kennedy	Other Interests	
Gillian Ward	Other Interests	
Josh Powles	Other Interests	
Mel Plewes	Other Interests	
Nicole Storms	First Nations	
Curtis Maracle	First Nations	
Mike Kerby	Liaison - Quinte Region Source Protection Authority	
Andrew Landy	Liaison - Health Unit	
Mary Wooding	Liaison - Ministry of Environment	
Max Christie	Chair	
Amy Dickens	Project Manager	