

LAKE ERIE REGION SOURCE PROTECTION COMMITTEE

Rules of Procedure, Code of Conduct and Conflict of Interest Policy

WHEREAS Section 14 of Ontario Regulation 288/07 requires “written rules of procedure for conducting the business of the committee that are satisfactory to the source protection authority” and section 15 of O. Reg. 288/07 requires “written code of conduct and conflict of interest policy for members of the committee that are satisfactory to the source protection authority”.

THEREFORE, in compliance with O. Reg. 288/07 s. 14 and s. 15, the Lake Erie Region Source Protection Committee adopts the following Rules of Procedure, Code of Conduct and Conflict of Interest Policy, subject to amendment by the Source Protection Committee from time to time:

Definition:

- a) “Authority” means Grand River Source Protection Authority
- b) “Authorities” means the Kettle Creek Source Protection Authority, Catfish Creek Source Protection Authority, Long Point Region Source Protection Authority, and the Grand River Source Protection Authority
- c) “Chair” means the Chair of the Source Protection Committee appointed by the Ontario Minister of the Environment under section 7(4) of the *Clean Water Act, 2006*
- d) “Committee” means Lake Erie Region Source Protection Committee
- e) “Members” means persons appointed to be members of the Lake Erie Region Source Protection Committee.
- f) “Region Management Committee” means the Chairs or designates and Chief Administrative Officers or General Managers of the Catfish Creek, Grand River, Kettle Creek and Long Point Region Conservation Authorities.
- g) “Website” means the Lake Erie Source Protection [website](#).

MEMBERSHIP

Membership

- 1) The Membership comprises all members of the Lake Erie Region Source Protection Committee appointed by the Grand River Source Protection Authority.

Terms of Appointments

- 2) The term of appointment for each Member shall be as indicated in the Letter of Appointment, and as required by O. Reg. 288/07 s. 8 under the Clean Water Act, 2006.

Vacancies

- 3) If a vacancy occurs among the Members of the Committee, the Chair will so notify the Authority, and the Authority shall appoint a new Member to fill the vacancy, pursuant to O. Reg. 288/07 s. 9.

Liaisons

- 4) Pursuant to O. Reg. 288/07 s. 19, the following persons may attend and participate in discussions at meetings of the Committee, including any meeting or part of a meeting that is closed to the public, but excluding participating in voting on any motions or questions before the Committee:
 - a) a person designated by the Minister of the Environment, Conservation and Parks as a representative of the Ministry of the Environment, Conservation and Parks;
 - b) a representative of the medical officers of health for the health units in which any part of the Source Protection Region is located; and
 - c) a person designated by the Authority as a representative of the Authorities.

Chair

- 5) The Chair will be the official spokesperson for the Committee and will preside at all meetings of the Committee. At such meetings, the Chair will preserve order and decorum and decide on all questions of order, citing the applicable rule(s).

Spokesperson

- 6) The Chair may represent the Committee at public events, meetings of watershed municipal councils and meetings with representatives of the provincial and federal government.

All requests to Members to represent the Committee as official spokesperson or speak on behalf of the Committee should be referred by the Member to the Chair or the Program Manager or the Communications Coordinator.
- 7) If the Chair is absent or unable to act, or the office of the chair is vacant, 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.

Ad Hoc Working Groups

- 8) The Committee may establish and appoint members to such ad hoc working groups as it deems necessary, with the Chair of the ad hoc working group to be named by the Committee and the terms of reference to be established at the time of appointment.

Ad hoc working groups established by the Committee shall be governed by the same Code of Conduct and Conflict of Interest Policy as the Committee.

When an ad hoc working group has completed its work and submitted its final report, it dissolves automatically, unless otherwise directed by the Committee.

Program Manager

- 9) The Grand River Conservation Authority shall appoint a Program Manager who shall provide or cause to provide scientific, technical and administrative support and resources to the Committee, pursuant to the Clean Water Act, 2006, s. 7 (5).

Recording Secretary

- 10) The Grand River Conservation Authority shall appoint a Recording Secretary who shall keep minutes of Committee meetings. The Recording Secretary shall be the Program Manager or designate.

Communications Coordinator

- 11) The Grand River Conservation Authority shall appoint a Communications Coordinator who shall be Committee's primary point of contact for the media and provide communications support to the Chair.

Freedom of Information

- 12) All meetings of the Committee shall be open to the public and to coverage by news media, subject to provisions of the Municipal Freedom of Information and Protection of Privacy Act, 1990.
 - a) Notwithstanding the aforementioned, a closed meeting may be convened for a special purpose (an item deemed appropriate for a closed meeting according to O. Reg. 288/07 s. 18) on approval of the two-thirds majority of Members present at a meeting.
 - b) In addition, the Chair may convene a closed meeting for the special purposes as outlined above.
- 13) Members of the Committee shall comply with the Code of Conduct outlined in Schedule 1 of these Rules of Procedure.

Conflict of Interest

- 14) All meetings of the Committee and the Working Groups shall be subject to the provisions of the Conflict of Interest Policy outlined in Schedule 1 of these Rules of Procedure.

CALLING OF MEETINGS

Meetings

- 15) The Committee shall meet at the Grand River Conservation Authority Administrative Office unless otherwise specified, and at such time as the Chair shall decide.
- 16) The Chair shall determine the time and location of the first meeting of the Committee.

Notice of Meeting

- 17) The Committee shall establish a regular meeting schedule in advance. The committee shall give notice of committee meetings to the public by publishing the current meeting schedule on the Website and making the notice available at the Conservation Authority Administrative Offices during regular business hours.
- 18) Notwithstanding the posted meeting schedule, notice of all Committee meetings shall be conveyed to Members and Authorities, and shall be posted on the Website at least 5 days prior to the date of the meetings. The notice shall include the time and place of the meeting and all items to be discussed at the meeting.
- 19) Notwithstanding the posted meeting schedule, if a storm or like occurrence will prevent the members from attending a meeting, the scheduled meeting may be postponed or held electronically, provided quorum and public participation can be met. Postponement shall not be for any longer than the next scheduled meeting date.
- 20) Notices of meetings shall include a notation that Members are to call the Recording Secretary or a designate if unable to attend.

Ad Hoc Working Groups

- 21) Ad hoc working groups shall meet at the call of the working group Chair as required and at such time and place as the working group Chair may decide.

PROCEDURE AT MEETINGS

Rule of Procedure

- 22) In all matters of procedure not specifically dealt with herein, the current edition of Bourinot's Rules of Order shall be binding.

Declared State of Emergency – Electronic Meetings

- 23) During any period where an emergency has been declared to exist, in all or part of an area over which the Committee has jurisdiction, under Section 4 or 7.0.1 of the Emergency Management and Civil Protection Act, that may prevent the Committee from meeting in person,
- a) a member may participate in meetings electronically and shall have the ability to:
 - i. register a vote;
 - ii. be counted towards deterring quorum; and
 - iii. participate in meetings closed to the public.
 - b) any date or timeline requirement established under any Section in these Rules of Procedure shall be postponed until such time as the Committee can reasonably address the issue.
 - c) the Committee shall make electronic meetings of the Committee open to the public.

24) Delegations

Registered delegations will be invited to defer their attendance to a future meeting or may choose to provide a written submission to the Committee instead.

If a delegation requests to address the Committee at an electronic meeting they may do so, provided they have registered as a delegation through the Program Manager at least eight calendar days in advance of the meeting. Presentation materials may be shared with the Committee members provided the delegation provides them at least eight calendar days in advance of the meeting. All matters pertaining to number of speakers, length of presentation and content presented by delegations shall be in accordance with the delegations section of the Rules of Procedure.

Electronic Meetings and Participation

- 25) Electronic meetings are permitted and must follow/accommodate all Meeting Procedures identified in these Rules of Procedure.
- 26) A Member can participate electronically in a meeting that is open or closed to the public and in either case may be counted in determining whether or not a quorum of members is present at any point in time. Electronic meetings must permit all participants to communicate adequately with each other during the meeting. For open electronic meetings, the public must be able to participate in the meeting electronically.

Special Meetings

- 27) The chair may, at their pleasure, call a special meeting of the Committee as necessary on three calendar days notice in writing or email. That notice shall state the business of the special meeting and only that business shall be considered at that special meeting. Any member, with 50% support of the other members, may also request the Chair to call a meeting of the Committee and the Chair will not refuse.
- 28) A special meeting may be held to amend the Rules of Procedure.
- 29) Members of the Committee can participate electronically in any special meeting that occurs. A member of the Committee that is participating electronically in a special meeting will be counted in determining whether a quorum of members is present at any time during the meeting.
- 30) The agenda for special meetings of the Committee shall be prepared as directed by the Chair.

Minutes

- 31) Minutes of meetings shall contain the attendance, a copy of all decisions and resolutions presented at the meeting, a short summary of discussions and all other proceedings of the meeting. The Chair, at their discretion, may require written motions.
- 32) Copies of all minutes shall be made available to the Lake Erie Region Management Committee and staff.
- 33) All minutes of meetings open to the public and supporting technical reports shall be available for public review on the Website and at the Conservation Authority Administrative Offices during regular business hours.
- 34) Copies of minutes of meetings open to the public and supporting technical reports shall be made available to the public upon payment of costs involved, such charges to be determined by the Grand River Conservation Authority Chief Administrative Officer from time to time.

Agenda Preparation

- 35) The Program Manager on instructions from the Chair, shall prepare or cause to be prepared an agenda to be forwarded to members at least five days prior to any regular meeting, listing all matters to come before the meeting.

Meeting Procedures

- 36) Committee meetings shall conform to the following procedure insofar as the procedures are applicable to the meeting:
 - a) Call to order by Chair
 - b) Certification by Recording Secretary (or designate) that there is a quorum of members present
 - c) Chair's Remarks
 - d) Updates from Ministry of the Environment, Conservation and Parks Liaison, Source Protection Authority Liaison, and Conservation Ontario.
 - e) Review of Agenda

- f) Declaration of Pecuniary Interest
- g) Adoption of minutes of previous meeting
- h) Hearing of delegations
- i) Presentations
- j) Correspondence
- k) Presentation of reports
- l) Business arising from previous meetings
- m) Other business
- n) Closed Meeting
- o) Next SPC meeting
- p) Adjournment

Other Business

- 37) Subject always to anything specifically provided for, or dealt with, in the Clean Water Act, 2006 or these Rules of Procedure, no member shall present any matter to the Committee for its consideration, unless the matter appears on the agenda, without the approval of the Chair or if the Chair refuses such approval, by leave granted by a two-thirds majority vote of the Members present.

Notwithstanding, the decision on any matter so presented will be deferred and included on the agenda for the next regularly scheduled meeting.

Notice of Motion

- 38) Written notice of motion may be given by any member of the Committee by mailing, email, or delivering such notice to the Recording Secretary (or designate) and the said motion shall be placed on the agenda, under “Other Business” of the next meeting held fourteen days or more after the receipt of the said motion.
- 39) Delegations will be limited to a maximum of ten (10) minutes except that delegation of more than three (3) speakers will be limited to a total maximum of twenty (20) minutes.

Delegations will be considered in the following order:

- 1) Citizens, organizations or their representatives who have notified the Program Manager in writing of their desire to appear;
- 2) Citizens, organizations or their representatives who are present at the meeting, who have not notified the Program Manager in writing of their desire to appear, may, with the approval of a two-thirds majority of the members present, be heard following all other delegations to a maximum of ten (10) minutes except that delegation of more than three (3) speakers will be limited to a total maximum of twenty (20) minutes.

Speakers will be requested not to repeat what has been said by previous speakers at the meeting.

Members of the public who constitute an audience during a Committee meeting may not:

- a) Address the Committee without permission.
- b) Interrupt any speech or action of the Members, or any other person addressing the Committee.

- c) Display or have in their possession any picket signs, placards, or any other form of written messages deemed inappropriate by the Chair.

Communications and Petitions

- 40) Every communication, including a petition, to be presented to the Committee will be legibly written or printed and will be signed by at least one person and filed with the Program Manager at least 24 hours prior to the start of the meeting for which it is intended.

All communications on any subject may be referred to the Program Manager or a working group by motion unless otherwise ordered by the Committee.

Quorum

- 41) Pursuant to O. Reg. 288/07 s. 13, a quorum for a Committee Meeting shall be the Chair or Acting Chair and two-thirds of the number of Members that the Grand River Source Protection Authority is authorized to appoint under O. Reg 288/07 s. 1, plus the number of First Nations Members appointed under O. Reg. 288/07 s. 6.

- a) If no quorum is present one-half hour after the time appointed for a meeting of the Committee, the Recording Secretary (or designate) shall call the roll and record the names of the members present and the meeting shall stand adjourned until the next meeting.
- b) If, during the course of a meeting, a quorum is lost, then the meeting will stand adjourned, not ended, to reconvene at such other time and place as the Chair will then announce.
- c) Notwithstanding, if a quorum is lost due to a declaration of pecuniary interest, the item causing the pecuniary interest is deferred to the following meeting, and the meeting will continue.
- d) If, in the Chair's opinion, it is not essential that the balance of the agenda be dealt with before the next regularly scheduled meeting, then the Chair will announce that the unfinished business will be taken up at the next regularly scheduled meeting.
- e) The Program Manager will give notice of any meeting so adjourned and to be reconvened, in a practical method within the time available.

Call to Order

- 42) When a quorum is first present after the hour fixed for a meeting of the Committee, the Chair shall take the chair and call the members to order.

Meeting Chair

- 43) The Chair who opens the meeting shall remain Chair for the meeting until its adjournment. If, however, the Chair for any reason wishes to vacate the chair, either temporarily or for the balance of the meeting, the remaining Members shall appoint an acting chair from among themselves to take the chair.

Duties of Chair

- 44) The Chair shall preserve order and decide questions of order.

Point of Order

- 45) When a member raises a point of order, he/she shall ask leave of the Chair to raise a point of order and, after leave is granted, shall state the point of order to the Chair and sit down

and, thereafter, no member shall address the Chair on the point of order except for the purpose of appealing the Chair's decision.

Where there is no appeal, the decision of the Chair shall be final, and, where there is an appeal, the Committee shall decide the question without debate and the decision of the two-thirds majority of the members present shall be final.

Closed Meetings

46) Meetings may be closed to the public in accordance with O. Reg. 288/07, s. 18.

In particular, a meeting or part of a meeting may be closed to the public if the subject matter being considered relates to:

- a) personal or financial matters about an identifiable individual; or
- b) advice that is subject to solicitor-client privilege, including communication necessary for that purpose.

Procedures for Closed Meetings

47) Before holding a meeting or part of a meeting that is to be closed to the public, the Committee shall state by resolution,

- a) the fact of the holding of the closed meeting; and
- b) The general nature of the matter to be considered at the closed meeting.

48) A meeting shall not be closed to the public during the taking of a vote, except where:

- a) the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the Conservation Authorities of the Lake Erie Source Protection Region or persons retained by or under contract with the Conservation Authorities of the Lake Erie Source Protection Region.

49) The Program Manager and Liaisons shall be entitled to remain in attendance during a closed session.

RULES OF DEBATE

Speakers

50) Every member wishing to speak to a question or motion shall, upon recognition by the Chair, address the Chair.

Decision Making

51) The Committee shall attempt to make decisions by consensus among the Members.

52) 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 two-thirds of the Members present, excluding the Chair.

Voting

53) Every member present at a meeting when a question is put, excluding the Chair and non-voting Liaison members, will vote thereon, unless prohibited by statute, in which case it will be recorded.

54) Upon the taking of a vote,

- a) If all the members present when the vote is taken vote unanimously, the Recording Secretary (or designate) shall record the vote accordingly;
 - b) If the members present when the vote is taken do not vote unanimously, the Recording Secretary (or designate) shall record the number of votes for and the number of votes against;
 - c) Before a vote is taken, any member may require the vote be recorded and it shall be taken accordingly. For a recorded vote, the Recording Secretary (or designate) will read the name of each Member. Upon reading a Member's name, the Member shall vote in favour or in opposition to the motion. The Recording Secretary (or designate) will record the response against the Member's name.
- 55) After a vote, other than a recorded vote, is taken, any member may require that the vote be taken again and be recorded if they disagree with the Chair's declaration as to the results of the vote; and they state their requirement immediately after the Chair's decision.
- 56) While the Chair is putting a question to the vote, no member shall leave their seat or make any noise or disturbance until the result of the vote is declared.

Reading of Question

- 57) Any member may require the question or motion under debate to be read at any time during the debate, except while a member is speaking.

Speaking to Question

- 58) No member shall speak more than twice to the same question except to amend or dispose of a motion.

Questioning Speaker

- 59) Any member may ask a question of the previous speaker through the Chair, but the question shall be stated clearly and relate to the speaker's remarks.

Matters of Precedence

- 60) The following matters may be introduced orally without written notice and without leave and shall be dealt with before the motion on the floor is put:
- a) A point of order;
 - b) A point of privilege;
 - c) A motion to suspend a rule of procedure or to request compliance with the rules of procedure;
 - d) A motion to refer or commit;
 - e) A motion to postpone or defer;
 - f) A motion to adjourn.
- 61) A motion to adjourn shall take precedence over any other motion and shall be put to a vote immediately without debate, except that vote shall not be taken,
- a) While a member is in possession of the floor or has previously indicated to the chair their desire to speak on the matter before the Committee; or
 - b) After it has been decided to put a motion to the vote and before the vote is completed.

Debate

- 62) When a motion is under debate, no motion shall be received other than a motion to amend, to postpone action, to refer the questions, to take a vote, or to adjourn.

Vote on a Question

- 63) No question shall be voted upon more than once at any meeting, unless a recorded vote is requested pursuant to section 55 of these Rules of Procedure.

Splitting of Question

- 64) Where a question under consideration contains more than one item, upon the request of any member, a vote upon each item shall be taken separately.

Motion to Reconsider

- 65) If a motion is made to reconsider a previous motion, the motion to reconsider must be dealt with at a future meeting. The motion to reconsider must be introduced by a member who voted on the side of the majority on the initial motion.

Similarly, if a motion is made to reconsider a consensus decision, the motion to reconsider must be dealt with at a future meeting. The motion to reconsider must be introduced by a member who was present at the meeting in which the consensus decision was made.

Proxy

- 66) A Member may participate in the meeting by proxy, as per O. Reg. 288/07, s. 17.
- 67) Members participating by proxy count towards meeting quorum.
- 68) Members participating by proxy are not considered to be present at the meeting for attendance purposes.
- 69) A Member participating in a meeting by proxy shall notify the Chair prior to the Call to Order of the meeting, and shall inform the Chair of the person who will be acting as proxy and the extent by which an opinion for consensus or vote will be provided.
- 70) Any Member authorized to vote on behalf of another Member shall be entitled to their own vote and the vote of the Member authorizing the proxy.
- 71) Where a person authorized to vote on behalf of a Member is not a member of the Committee, the person shall be subject to the Rules of Procedure, Code of Conduct and Conflict of Interest Policy of the Committee.
- 72) Notwithstanding sections 67 and 68, where the person authorized to vote on behalf of a Member has disclosed a conflict of interest according to sections 6 and 7 of the Code of Conduct and Conflict of Interest Policy in Schedule 1 of these Rules of Procedure, the person shall not be eligible to act as proxy.

Request for Staff Report

- 73) A request for a report from staff by any Member must be made through a motion, and a vote shall be taken.
- 74) If the motion receives two-thirds majority vote, the Chair shall direct the Program Manager to provide or cause to provide a report within the time specified by the Chair.

GENERAL

Payment of Members

- 75) All voting Members appointed by the Grand River Source Protection Authority shall be paid a per diem allowance and expenses as follows:
- a) A per diem allowance as approved by the Grand River Conservation Authority and set out in the Letter of Appointment from the Grand River Source Protection Authority.
 - b) In the event of a scheduled meeting being adjourned for lack of quorum, those attending a meeting so adjourned shall be entitled to receive the standard per diem rate and expense.
 - c) A Member who participates in a meeting by proxy as per these Rules of Procedure will not be paid the per diem allowance for that meeting.
 - d) A per Diem and Expense Claim Sheet shall be provided to each member to be returned to the Program Manager (or designate) after each meeting with the distance traveled for each meeting and allowable expenses shown. Each member must sign a certification printed on the sheet that the information is correct
- 76) The Committee can request the removal of a member from the committee should a member fail to comply with O. Reg. 288/07, s. 7, which pertains to residing, owning or renting land or being employed within the source protection region.
- 77) The Authority can remove a Member if:
- a) the Member is not meeting their responsibilities as a Committee Member as set out in the Letter of Appointment;
 - b) the Member has been absent from three consecutive meetings or six meetings of the Committee in a year without providing reasonable cause,
 - c) the Member is in violation of the Code of Conduct or Conflict of Interest Policy. The Authority must first provide a written statement to the Member of the reasons for removal.
- 78) The Chair can request that the Authority remove from office a Member after providing a written statement of the reasons for the request.
- 79) The Authority shall provide the Member and the Chair with an opportunity to make submissions to the Authority before it makes a decision on removing the Member from office.

Indemnification of Members

- 80) In keeping with section 99 of the Clean Water Act, 2006, every Member of the Committee and their heirs, executors, administrators and estate and effects respectively shall from time to time and at all times be indemnified and saved harmless out of the funds of the Authority from and against all costs, charges, and expenses whatsoever which Member of the Committee sustains or incurs in or about any action, suit or proceeding which is brought, commenced, or prosecuted against them for or in respect of any act, deed, matter or thing whatsoever made, done or permitted by them in or about the execution of the duties of their office; all other costs, charges and expenses they sustain or incur in or about or in relation to the affairs thereof, except such costs, charges or expenses as are occasioned by their own wilful neglect or default.

Schedule 1:

LAKE ERIE REGION SOURCE PROTECTION COMMITTEE

Code of Conduct and Conflict of Interest Policy

PREAMBLE AND CONTEXT

- 1.1. Source Protection Committees, as established by Source Protection Authorities under section 7 of the Clean Water Act, 2006 are responsible for the preparation of terms of references, technical assessment reports and source protection plans for source protection areas in accordance with the Act, regulations and Technical Rules.
- 1.2. Members of the Lake Erie Region Source Protection Committee 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 agree to a commitment to undertake the roles and responsibilities of a member of the Lake Erie Region Source Protection Committee, including:
 - a) Regularly attending meetings and events of the Committee.
 - b) Abiding by the Code of Conduct and Conflict of Interest policies to be established by the Committee.
 - c) Making decisions at the Committee table.
 - d) Working collaboratively with the other Committee members toward practical and implementable plans for drinking water source protection in the Lake Erie Region watersheds.
 - e) Maintaining confidentiality of confidential and personal information brought before the Committee.
- 1.3. The purpose of this Code of Conduct and Conflict of Interest Policy is to set out the standard of conduct expected of members of the Lake Erie Region Source Protection Committee, as appointed by the Grand River Source Protection Authority. It also sets out the procedure to be followed by Members in disclosing conflicts and perceived conflicts, as well as the consequences of failure to comply with that procedure.

DEFINITIONS

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

- 7.2 "Authority" means the Grand River Source Protection Authority, established under section 7 of the Clean Water Act, 2006 and Ontario Regulation (O. Reg) 284/07 (Source Protection Areas and Regions).
- 2.2 "Code" means this Code of Conduct and Conflict of Interest Policy.
- 2.3 "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.

- 2.4 “Committee” means the Lake Erie Region Source Protection Committee appointed by the Grand River Source Protection Authority, under section 7 of the Clean Water Act, 2000.
- 2.5 “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, particular care should be exercised in releasing information relating to the following matters:
- 2.5.1 Personal information about any individual;
 - 2.5.2 Personnel matters;
 - 2.5.3 Items under litigation;
 - 2.5.4 Information about suppliers provided for evaluation which might be useful to competitors;
 - 2.5.5 Sources of complaints about a variety of matters where the identity of the complainant is given in confidence;
 - 2.5.6 Items under negotiation;
 - 2.5.7 Information supplied in support of license applications, etc., where such information is not part of the public documentation;
 - 2.5.8 Schedule of prices in contract tenders;
 - 2.5.9 Personal opinions regarding Authority or Committee policies, regulations and programs should not be given to the public.

The preceding is not an exclusive list.

2.6 “Gift” includes any money, thing, intangible or personal benefit exceeding \$100.00 in value or anything that may reasonably be seen to compromise the personal judgment 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.

2.7 “Harassment” may include, but is not limited to the following:

2.7.1 Sexual Harassment

- 2.7.1.1 Unwelcome remarks, jokes, and innuendos or taunting about a person's body, attire, sexual orientation or gender.
- 2.7.1.2 Practical jokes of a sexual nature which cause awkwardness or embarrassment.
- 2.7.1.3 Displaying pornographic pictures or other offensive material.
- 2.7.1.4 Leering (suggestive staring) or other gestures.
- 2.7.1.5 Unnecessary physical contact such as touching, patting or pinching.
- 2.7.1.6 Physical assault.
- 2.7.1.7 Demands for sexual favors or repeated unwanted social invitations.

2.7.2 Racial or Ethnic Harassment

- 2.7.2.1 Unwelcome remarks, jokes, innuendos or taunting about a person's racial or ethnic background, colour, place of birth, citizenship or ancestry.
- 2.7.2.2 The displaying of derogatory or offensive racist pictures or material.
- 2.7.2.3 Refusing to converse or work with an Member or volunteer because of their racial or ethnic background.
- 2.7.2.4 Insulting gestures or practical jokes based on racial or ethnic grounds, which cause embarrassment or awkwardness.
- 2.7.3 Other Harassment
 - 2.7.3.1 Unwelcome remarks jokes, innuendo or taunting about a person's age, record of offenses, marital status, family status, handicap or creed.
- 2.8 “Member” means a Member of the Lake Erie Region Source Protection Committee appointed by the Grand River Source Protection Authority, under section 7 of the Clean Water Act, 2006.
- 2.9 “Member’s immediate family” includes the member’s spouse or partner, children, parents and siblings.
- 2.10 “Monetary Interest” includes the financial interests of a Member, and the financial interests of a member of the Member’s immediate family.
- 2.11 “Prohibited Activities” means:
 - 2.11.1 Seeking or accepting a Gift in connection with their capacity as Member.
 - 2.11.2 Attempting to influence committee decisions in order 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 their own Private Interest.
 - 2.11.3 Using Confidential Information for any improper purpose, which includes using Confidential Information to the benefit of the Member’s Private Interest.
 - 2.11.4 Disclosing Confidential Information to third parties without the consent of party to whom the information relates.
 - 2.11.5 Taking an action in their capacity as a Member that involves dealing with oneself in a private capacity that confers a benefit on oneself.
 - 2.11.6 Misrepresenting their role as a Member to a third party to further the Member’s Private Interest.
 - 2.11.7 Holding oneself out as an official of the Government of Ontario or inferring to a third party that the Member has the capacity to deliver a favourable decision from the government.
 - 2.11.8 Making representations to a third party that the Government of Ontario has endorsed the business activity that the Member is engaged in.
 - 2.11.9 Using the name Government of Ontario or Ministry of the Environment for personal purposes or to further the Member’s Private Interest.

- 2.11.10 Failing to disclose a Conflict of Interest to the Chair or Minister as the case may be.

APPLICATION AND SCOPE

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

CODE OF CONDUCT

- 7.2 Members of the Committee are expected to:

- 1.1.1. Conduct themselves ethically, lawfully and with integrity.
- 1.1.2. 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;
- 1.1.3. Maintain a sense of fairness, independence and objectivity and treat others with respect;
- 1.1.4. Refrain from placing themselves in Conflict of Interest situations;
- 1.1.5. 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, as soon as reasonably possible.
- 1.1.6. Refrain from engaging in any of the Prohibited Activities as described in this policy;
- 1.1.7. Educate other Members on those matters within their own area of expertise with a goal of having the Committee make decisions collectively;
- 1.1.8. Demonstrate their commitment to the Committee and to the Source Protection Planning Process through high levels of attendance and participation at Committee meetings.
- 1.2. Every Member of the Committee is entitled to work in an environment that is free from discrimination and/or harassment.
- 1.3. Every Member of the Committee will deal with Members in a fair and equitable manner free from discrimination and/or harassment.
- 1.4. The Authority will take prompt and appropriate action to prevent, discourage or respond to incidents of discrimination or harassment.
 - 1.4.1. A Member who feels they are being harassed should:
 - 1.4.1.1. Make it clearly known to the offender that their conduct is unacceptable and should not be repeated.
 - 1.4.1.2. Discuss the situation, in confidence, with the Chair or Chief Administrative Officer of the Grand River Conservation Authority acting on behalf of the Authority.
 - 1.4.1.3. Keep a short written record of dates, incidents and names of witnesses, if any.
 - 1.4.1.4. If necessary, prepare a written complaint.

1.4.2. Upon receipt of a verbal or written complaint from a Member, directly or through the Chair, the Chief Administrative Officer of the Grand River Conservation Authority acting on behalf of the Authority will conduct an investigation in confidence and take appropriate action.

1.5. Confidential Information

1.5.1. Members have access to confidential information by reason of their participation on the Lake Erie Region Source Protection Committee.

1.5.2. Members must not make such information available unless it is subsequently deemed public information.

1.5.3. Where a Member is unsure of the status of information, before making any release he/she shall discuss it with the Chair of the Committee who may see fit to consult with the Program Manager.

1.6. Obligation to Inform

1.6.1. All Members appointed to a Committee by the Grand River Source Protection Authority have an obligation to raise any concern, directly or through the Chair, with the Chief Administrative Officer of the Grand River Conservation Authority acting on behalf of the Authority with respect to their compliance with this Code. The Chief Administrative Officer of the Grand River Conservation Authority acting on behalf of the Authority will determine an appropriate response and communicate this to the Member and the Chair.

1.6.2. The Chair of the Committee has an 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.

PROCEDURE WHERE MEMBER IS ALLEGED TO HAVE ENGAGED IN PROHIBITED ACTIVITIES

7.2 Where a Member, other than the Chair, is alleged to have engaged in a Prohibited Activity:

5.1.1 The Chief Administrative Officer of the Grand River Conservation Authority on behalf of the Authority may investigate the matter and report to the Chair with the findings or recommendations.

5.1.2 The Chief Administrative Officer of the Grand River Conservation Authority on behalf of the Authority may request that the Member refrain from participating as a Member of the Committee pending the outcome of the investigation.

5.1.3 The Authority may remove the Member from the Committee in accordance with sections 68 to 71 of the Lake Erie Region Source Protection Committee Rule of Procedure and section 22 of Ontario Regulation 288/07 (Source Protection Committees).

5.2 Where the Chair is alleged to have engaged in a Prohibited Activity, the Minister may:

5.2.1 Request the Chief Administrative Officer of the Grand River Conservation Authority on behalf of the Authority investigate the matter and report to the Minister with the findings or recommendations.

- 5.2.2 Request that the Chair refrain from participating as the Chair of the Committee pending the outcome of the investigation.
- 5.2.3 Request that the Chair resign from the Committee.
- 5.2.4 Take steps to revoke the Chair's appointment.

CONFLICT OF INTEREST POLICY

- 6.1 A Conflict of Interest refers to a situation in which the monetary 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.
- 6.2 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 monetary interest in a matter, a contract or proposed contract). A conflict may occur when an interest benefits any member of the Member's family (spouse, partner, children, parents, siblings), friends or business associates.
- 6.3 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 Municipal Conflict of Interest Act, 1990.
- 6.4 Sections 6.1, 6.2 and 6.3 do not apply to a personal or monetary interest in any matter that a member may have by reason of the member having a personal or monetary interest which is an interest generally in common with the sector represented by the member on the committee.

PROCEDURE FOR DISCLOSING A CONFLICT OF INTEREST

- 7.1 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:
 - 7.1.1 Promptly disclose (verbally or in writing) the actual, potential or perceived Conflict of Interest and the general nature of the Conflict of Interest to the Chair and the Committee or where the Member is the Chair, promptly disclose the Conflict of Interest to the Acting Chair and the Committee.
 - 7.1.2 Excuse him or herself from the Committee meeting while the matter is under consideration.
- 7.2 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 their personal influence on another Member with respect to the matter, or act as proxy for another Member.
- 7.3 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.

- 7.4 The Chair or the Minister, 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 their decision directly to the Member.
- 7.5 A Member who has concerns about the conduct of another Member regarding compliance with the Conflict of Interest Policy should raise those concerns with the Chair. The Chair will follow a similar process for addressing the concerns as for dealing with declared Conflicts of Interest with modifications to suit the different circumstances.
- 7.6 A Member who has concerns about the conduct of the Chair regarding compliance with the Conflict of Interest Policy should raise those concerns with the Minister. The Minister will follow a similar process for addressing concerns as for dealing with declared Conflicts of Interest by the Chair with modifications to suit the different circumstances.