

**From:** Aidan McLaren-Caux

**Date:** Sunday, December 1, 2024 at 22:56

**To:** Paul Taylor, UBCM

**Cc:** Keith Page

**Subject:** Feedback on Responsible Conduct Framework Discussion Paper

Hello Paul,

Thank you for the time and effort you and the working group have put into publishing this paper, *Potential for Change*. This is a topic relevant to all local governments and, unfortunately, increasingly exigent for too many.

I chair the Advocacy Committee for the Association of Kootenay & Boundary Local Governments (AKBLG), and we have discussed the issue of responsible conduct at length with both our membership and at our executive. Indeed, we have endorsed three relevant resolutions at our annual conventions since 2021:

- 2023-EB69 which asked the Province to create a shared local government ethics commissioner's office(s) to serve local governments in the efficient and effective implementation of Code of Conduct policies;
- 2022-B77 which asked the Province to create an Office of the Municipal Ethics Commissioner within the Ministry of Municipal Affairs; and
- 2021-2020 NR1 which asked the Province to establish an Independent Office of Integrity to serve the public, elected officials and local government officials.

We also undertook a fulsome debate about a similar resolution at our convention in 2024, although it was narrowly defeated likely because it included regulating unruly behaviour from the public as well as elected officials.

Regarding the discussion paper, AKBLG would like to offer our perspective and possible solutions that could help move the needle on responsible conduct in local governments throughout the province. Members of our committee met with staff from the Ministry of Municipal Affairs during UBCM this year to discuss these issues, which included: the role area associations can play in improving professional development and conflict resolution; the benefit and need to consult with area associations on challenges to responsible conduct in our respective areas; the establishment of regional or sub-regional integrity commissioners; and, legislative changes to require mandatory education for local elected officials.

It is our belief that leveraging the expertise and understandings of local context that are available within the networks of area associations can lead to more effective outcomes. Speaking from a rural perspective, we cannot stress enough the fact that the landscape is substantially different in a community like, for example, Silverton (population 149) than it is in Vancouver, which was indeed one of the communities that was recently assisted by a municipal advisor from the Ministry. While the legislation and regulations around the conduct of elected officials applies equally around the province, understanding the context and nuance necessary to effectively overcome challenges in rural and far-flung areas like ours is half the battle.

The largest municipality in our entire catchment area, which includes the regional districts of Central Kootenay, Kootenay Boundary, East Kootenay, and part of Columbia Shuswap, is Cranbrook, with a population of 20,499. Most of our cities, towns, and villages are much less populated. Once again, the rural perspective is critically important to how we approach the challenge of responsible conduct. For small municipalities, and even in some respects for the regional districts, it can be outside of their capacity to engage independent third parties that administer and enforce codes of conduct. Even if there is a possibility to share such contractors, we must be mindful of the extremely limited resources, both financial *and* human, that can be marshalled by small and rural communities.

Specifically to the two questions posed for feedback on this paper:

1. Yes, we believe that mandated codes of conduct, based on best practices, should be enshrined in legislation. As noted in the paper, thirty percent of local government still lack a code of conduct. There already exist various substantive reasons that act as barriers to enthusiastic, community-minded individuals that represent the broad diversity of our province from running for elected office. The increasingly public dysfunction at some local governments, the lack of provincially recognized minimum standards of behaviour, and the absence of consequences for those who contravene them stands as just one more unnecessary deterrent that keeps good people out of local government.
2. Yes, we believe there needs to be legislative change to support the administration and enforcement of codes of conduct. As noted above, an increased role for area associations in both prevention (mandatory professional development and education, such as in other Commonwealth countries) and resolution and enforcement of conduct challenges would lead to more effective outcomes.

Thank you for reviewing our feedback. We would be happy to discuss this in more detail at your convenience. The challenge of (ir)responsible conduct has been one that we have wrestled with for years, and we have been advocating for systemic change for some time. The rationale for why it needs to be addressed need not be rehashed but suffice it to say: the current system around the conduct of elected officials needs to be improved, and we are more than happy to be a part of that change.

Thanks for your time.

*Aidan McLaren-Caux*

*Councillor, Village of Nakusp*

*AKBLG Advocacy Committee Chair*