


<b>Policy Title:</b>	<b>Public Code of Conduct</b>	
<b>Policy #</b>	P – 1	
<b>Effective Date</b>		
<b>Date Approved</b>		

**1.0 POLICY**

The Village of Edgerton is committed to serving the community by providing fair, consistent and accessible service to members of the public while attending public events or being provided with a Village service. The Village of Edgerton is also committed to its employees by providing a safe working environment. On occasion, members of the public may make unreasonable demands or act in an inappropriate manner, such as harassing or by being threatening.

Employees are expected to treat all members of the public with respect and dignity regardless of the members of the public’s behaviour.

**2.0 PURPOSE**

The purpose of this policy is to contribute to the Village of Edgerton’s commitment to service excellence and good governance by addressing all requests and complaints equitably and efficiently, while acknowledging that there may be a need to protect staff and council from inappropriate behaviour. Members of the public, visitors to Village Facilities, Program(s) or individuals conducting business with the Village shall refrain from inappropriate behaviour towards employees, elected officials and any person acting on behalf of the Village of Edgerton. If inappropriate behaviour occurs, the Village will take appropriate action to ensure a respectful workplace.

Where a member of the public continues to behave unreasonably or in an inappropriate manner for a prolonged period of time, or it has been deemed that the behaviour is severe, the following policy outlines the necessary steps for restricting the form and manner of contact with the Village.

**3.0 AUTHORITY**

Pursuant to Section 201 of *the Municipal Government Act (Alberta)*, Council is responsible for developing and evaluating the policies of the Village. Pursuant to Section 207 of the *Municipal Government Act (Alberta)*, the Village CAO is responsible for ensuring that the policies of the Village are implemented.

The Village, as the owner of certain facilities, has a duty under the *Occupiers' Liability Act (Alberta)* to take such care as in all the circumstances of a particular case is reasonable to see those users of Village facilities will be reasonably safe in using Village facilities for the facilities' intended purposes.

The Village, as an employer, has a duty under the *Occupational Health and Safety Act (Alberta)* to ensure, as far as it is reasonably practicable for the Village to do so, the health, safety, and welfare of Village staff engaged in work for the Village, and other persons at or in the vicinity of such work, whose health and safety may be materially affected by identifiable and controllable hazards originating from the work site(s).

#### 4.0 DEFINITIONS

**Chief Administrative Officer (CAO)**” means the Chief Administrative Officer of the Village of Edgerton,

**Member of the public** is any individual other than an employee as defined in this policy.

**Designate** a person chosen to officially do a particular job (e.g., CAO designates a deputy CAO to carry out CAO duties while away, contract bylaw enforcement services.)

**Employee** is any person employed by the Village which includes and is not limited to any person employed in the capacity Village of a full-time, part-time, casual, term, seasonal, summer, contracted position or volunteer of the Village of Edgerton.

**Facility** is a building, structure, parks, playgrounds, tennis courts, spray park, and office area whether indoors or not that is operated by the Village.

**Frivolous** means trivial, groundless, without substance, having no merit, unnecessary or lacking good faith

**Inappropriate Behaviour** includes but is not limited to:

**Non-Compliance** refers to the deliberate disregard or violation of the established guidelines or rules governing the use of Village property or facilities, as outlined at each respective location.

**Harassment** is any single incident or repeated incidents of objectional, inappropriate, or unwelcome conduct, comment bullying, unwelcome joking or display, action, or gesture by a person that the person knows or ought reasonably to know will or would cause offence, humiliation, or intimidation to another person, or adversely affects the other person’s mental and/or physical health and safety.

**Hostile** is showing strong dislike, behaving unfriendly or aggressive.

**Threatening** is having a hostile or deliberately frightening quality or manner, showing an intention to cause bodily harm or causing someone to feel vulnerable or at risk.

**Program** is an activity, event, course, or class organized and operated by the Village, or through the Village’s contracted services.

**Property** means lands, premises, road allowances, parks, playgrounds, buildings owned, leased, or otherwise controlled by the Village as well as any vehicles or equipment.

**Natural person powers** rights, powers and privileges of a natural person; (*MGA s.6*) A municipality has natural person powers, except to the extent that they are limited by this or any other enactment.

**Village** is the corporation of the Village of Edgerton.

**Vexatious** means, in the context of a communication, complaint, request or inquiry, a communication, complaint, request or inquiry that is initiated with the intent to distress, disrupt, delay, embarrass, annoy, irritate, bother, or hurt, or amounts to abuse or misuse of the Village’s communications, complaints, requests or inquiry process.

**Examples of what might be considered inappropriate behaviour are provided below. The list is not exhaustive, nor does a singular action set out below necessitate the application of this policy.**

- a. Entering restricted areas or loitering in non-permitted zones of a Village facility without proper authorization, leading to potential safety concerns or disruption to others.
- b. Willfully causing damage or vandalism to Village property or equipment or engaging in theft or attempted theft of Village property or the belongings of others.
- c. Using Village equipment or facilities for personal use without permission, or ignoring posted safety guidelines, such as bypassing security measures.
- d. Failing to adhere to established procedures for the use or maintenance of Village facilities, including improper disposal of waste or unauthorized alterations to equipment.
- e. Engaging in behaviour that creates a hostile environment for others using the facilities, such as verbal abuse, physical altercations, or disrupting scheduled activities by refusing to follow staff instructions or interfering with the activities of others.
- f. Complaints concerning an issue which staff have already investigated and determined to be groundless.
- g. Complaints concerning an issue which is substantially similar to an issue which staff have already investigated and determined to be groundless (e.g., with respect to the same neighbour or same property).
- h. Unreasonable conduct which is abusive of the complaints process including, but not limited to:
  - i. harassing, verbally abusing or otherwise seeking to intimidate staff dealing with a complaint;
  - ii. excessive or multiple lines of enquiry regarding the same issue (e.g. pursuing a complaint with staff in multiple Village departments and/or an elected official simultaneously) while a complaint is in the process of being investigated;
  - iii. repeatedly challenging the findings of a complaint investigation, complaining about the outcome and/or denying that an adequate response has been given;
  - iv. refusing to accept that an issue falls outside the scope of the Village's jurisdiction;
  - v. making unreasonable demands on staff by, for example, insisting on responses to complaints and enquiries within an unreasonable time-frame;
  - vi. making statements or providing representations that the subject person knows or ought to know are incorrect, or persuading others to do so;
  - vii. demanding special treatment from staff by, for example, not following the normal chain of command;
  - viii. using new complaints to resurrect issues which were investigated and completed in previous complaints;

- ix. changing the basis of the complaint as the investigation progress and/or denying statements made at an earlier stage;
- x. refusing to co-operate with the investigation process while still wanting the complaint to be resolved;
- xi. failing to clearly identify the precise issues of the complaint, despite reasonable efforts of staff to obtain clarification of the concerns; or
- xii. Some situations arising from Unreasonable Behavior may cause concern for the reasonable safety of Village staff and other individuals.
- xiii. Other situations may compromise the enjoyment of Village facilities for all users or disrupt the delivery of Village services to the detriment of certain customers.
- xiv. Further, frivolous and/or vexatious requests/queries may consume a disproportionate amount of Council and staff time and resources and may compromise their abilities to perform their public legal duties. Such requests may also impede Council and staff from attending to other essential matters.

## 5.0 RESPONSIBILITIES

### 5.1 Council is responsible for:

- a) To receive, review and adopt this policy and any recommended amendments thereto.
- b) To support this policy and encourage all Members of the Public to abide by the principles and provisions of this policy.
- c) To complete the review process as required.

### 5.2 The Chief Administrative Officer is responsible for:

- a) Is responsible for ensuring that Council and Village staff are aware of and trained on this policy and any accompanying procedures.
- b) Is responsible for implementing this policy, which includes ensuring appropriate procedures are established.
- c) Responsible for providing council with an update on the use of the policy in timely manner.

## 6.0 PROCESS

### 6.1 Steps

**The Village of Edgerton’s approach to managing members of the public inappropriate behaviour is to follow a four-stage process.**

**Stage 1 “Warning”:** Members of the public displaying inappropriate behaviour (action, comment or joke that is offensive) will be warned politely by the Village representative they are dealing with. It is important to let the individual know exactly what behaviour has offended you. This initial response is intended to notify the offender that their actions are inappropriate and give the individual an opportunity to change the offensive behaviour.

**Stage 2 “The Single Point of Contact”:** If the inappropriate behaviour continues, Village of Edgerton may adopt a “*single point of contact*” approach. This does not restrict the way the member of the public

can deal with Village of Edgerton but restricts contact to one Village employee. The single point of contact will be the CAO. This appointed contact is responsible for managing future contact with the Village of Edgerton. The CAO will determine if a response is warranted, needed and/or a timeline for response.

**Stage 3 “Restricted Contact Channels”:** If the member of the public, even when dealing with their single point contact, continues to display inappropriate behaviour, their contact channels may then be restricted further. For example: only dealing via email, telephone or in person. These decisions will be made by CAO. It is important to note that the Village’s restriction on an individual’s contact enables Village of Edgerton to deal with them efficiently and effectively; however, it may not be permanent. If a member of the public subjected to this procedure alters their behaviour, there is no reason why they should continue to be limited to a single point of contact.

#### **Stage 4 “Public Ban”**

If a member of the public continues to display inappropriate or disruptive behaviour despite the previous stages of intervention, a public ban may be implemented. This stage involves restricting the individual from accessing certain Village facilities, programs or conducting business with the Village of Edgerton. When advancing to Stage 4, the individual member of the public should receive formal written notice detailing the reasons for the ban, specific location(s) or facilities affected, the duration of the ban and any other conditions of the restriction. The CAO is responsible for issuing and communicating the notice, ensuring transparency and proper documentation of the process.

*When a member of the public passes from one stage to another, they should receive confirmation of their status accompanied by an explanation. Notice should be provided in writing by the CAO. It is possible for a member of the public to progress directly to any other stage if the CAO or Council by resolution deems it appropriate to protect its staff or warrants the immediate restriction of their contact channels.*

## **6.2 Review**

### **Right To Review**

A Member of the Public who is subject to restrictions may request a review of the restrictions as set out in the Notice of Restrictions by the CAO by submitting to the Office Administrator a written Request for Review within fifteen (15) calendar days after the date of the subject Notice of Restrictions. The Request for Review must include, at minimum:

- I. the date and description of the Unreasonable Behavior that resulted in the restrictions;
- II. the date of the Notice of Restrictions and the name of the CAO who issued the Notice of Restrictions;
- III. the grounds for the review, stating the specific reasons;
- IV. what resolution or outcome the Member of the Public is seeking;
- V. any supporting documents or relevant evidence the Member of the Public is relying on; and
- VI. the Member of the Public's return email address and mailing address
- VII. **\*\*Note if the actions to limit contact was the result of council resolution no review will be allowed or conducted. \*\***

### **Review Process**

Within fifteen (15) calendar days following receipt of a Request for Review, the CAO must conduct an initial assessment of the Request for Review and may, at the CAO discretion:

- I. determine that the request should be dismissed based on any one or more of the following grounds:
  - a. the Office Administrator received the request after the fifteen (15) calendar day deadline,
  - b. the request is incomplete, frivolous, or vexatious; or
- II. the request otherwise has no reasonable prospect of success;
- III. Was resolution of council and cannot be reviewed
- IV. If the appeal meets the criteria the CAO must forward the appeal to council for review.

The CAO will notify the member of public with the decision or refusal of appeal within 30 days.

### **Reassessment of Restrictions**

Restrictions will be reassessed 12 months after the member of public being placed on any restrictive Stages 2 to 4, unless breaches have occurred. If a breach occurs the review shall be 12 months from the last breach.

**This policy shall be in effect on the date it is approved by resolution of Council.**

### **6.3 Anonymous Complaints**

Anonymous complaints as they are difficult, if not impossible, to assess or investigate will not be dealt with and immediately be shredded.

Date reviewed	Reviewed by	Roster of actions

Public Code of Conduct Policy comes into effect upon signing.



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Mayor - Kaylan White



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CAO - Nick Frank