

Councillor Accountability and Discipline Policy

G-10

LONG TITLE	A Policy Respecting Discipline and Accountability for Members of Council	DATE OF ENACTMENT	4 April 2022
		LAST AMENDED	26 June 2023
REFERENCE No.	G-10	NEXT REVIEW	April 2024
CATEGORY	Governance	COMPETENT CHAMBER	Council

MANDATE or PREAMBLE

This Policy shall govern a transparent process for the discipline and removal of Councillors, other than discipline related to conflicts of interest. This Policy shall be reviewed every two years by Council, except immediately after its adoption, where it shall be reviewed in two months.

INTERPRETATION

1. This Policy may be called the *Councillor Accountability and Discipline Policy*.
2. In this Policy, the following definitions shall apply:
3. This Policy must be distributed to every Councillor upon their election or appointment.

COUNCILLOR RESPONSIBILITIES

4. Every Councillor must attend Council meetings, or otherwise send regrets and submit a proxy form to the Speaker of Council.
5. Every Councillor must attend Committee meetings; or otherwise send regrets and submit a proxy form to the Speaker of Council and Chair of that Committee.
6. Every Councillor must faithfully observe all bylaws, policies, and procedures of the Corporation, as well as all applicable laws.

DISCIPLINE PROCESS AND PROCEDURE

Initiation of Disciplinary Process - Due to Poor Attendance

7. The Speaker shall send a written warning to any Councillor who fails to attend two required meetings without sending a proxy or submitting regrets. This shall include Councillors who leave meetings early without submitting regrets. The warning shall outline the next steps of this process.
8. Should a Councilor fail to attend three (3) required meetings, or alternatively two (2) required meetings in addition to Council training, without sending a proxy,

submitting regrets, or if they leave a meeting early without submitting regrets, the following procedure shall be followed:

- a. The Speaker shall request a written rationale for the Councillors absences.
 - a. The Speaker shall have the discretion to accept or reject the Councillors rationale.
 - i. Should the Speaker accept the Councillor's rationale, they will work with the Councillor to arrange proxies or regrets as needed. The rationale should only be accepted in extraordinary and unavoidable circumstances.
 1. The Speaker shall introduce a motion to remove any Councillor who misses one (1) more required meeting without regrets or a proxy.
 - ii. Should the Speaker reject the Councillor's rationale, they shall introduce a motion to remove the Councillor in accordance with Bylaw Section 5 under Discipline of Members
- 9.** The Speaker shall send a written warning to any Councilor who misses two (2) meetings with regrets. This warning shall note the meetings the Councilor has been absent for, notify the Councilor of the ability to send a proxy in their absence, and include a copy of this procedure.
- 10.** The Speaker shall send a final written warning to any Councilor who misses three (3) meetings with regrets or alternatively two (2) meetings in addition to Council training. This warning shall note the meetings the Councilor has been absent for, notify the Councilor of the ability to send a proxy in their absence, include a copy of this procedure, and outline what should happen if they miss another meeting with regrets.
- 11.** Should a Councilor submit regrets again, for a total of four (4) times for meetings or alternatively three (3) times for meetings in addition to Council training, the Speaker shall bring forward a motion to remove the Councilor in accordance with Bylaw Section 5 under Discipline of Members.

Initiation of Disciplinary Process - Failure to Meet Other Obligations

- 12.** Where a Councillor fails to meet their duties and responsibilities as set out within this document, the Standing Orders of Council; or any other CUSA bylaw, policy, or procedure; or law, a disciplinary process may be initiated.
- 13.** The disciplinary process may be initiated upon receipt of a written complaint in relation to a Councillor's conduct.

14. This complaint must be directed to the Speaker of Council, unless the complaint concerns the Speaker of Council, where it is then directed to the Director of Student Development.

Speaker of Council Terms of Reference (G-08).

15. The Director of Human Resources shall be a resource to all parties involved. If the position of Speaker of Council is vacant, any complaint must be made to the Director of Student Development.

16. Upon receipt of a complaint, the recipient shall prepare a written outline of the complaint, setting out particulars of the Councillor's conduct.

17. The written particulars shall be provided to the Councillor for response.

18. The Speaker shall consider the allegation(s), the Councillor's response, and the severity of the issue when determining if discipline shall be needed.

19. If the Speaker determines that discipline is required they may assign any of the following sanctions:

- a. A written warning, outlining where the Councillor's actions have violated the rules, and how they can act within them in the future.
 - i. Should a Councilor receive two (2) written warnings the Speaker shall introduce a motion to remove them from Council. This motion requires a two-thirds (2/3) supermajority to pass.
- b. Suspension from Council for anywhere from one (1) to three (3) meetings. This sanction will include a written warning. This sanction must be affirmed by Council through a two-thirds (2/3) supermajority.
- c. Introduce a motion to remove the Councillor. This motion requires a two-thirds (2/3) supermajority to pass.
- d. In the case of any motion to remove or sanction a Councillor, they will be allotted a minimum of ten (10) minutes to explain their actions in front of Council and ten (10) minutes to field questions concerning their conduct if they so choose, but will not be allowed to be present for debate or the final vote.