



## PURPOSE

The City's Code of Conduct for Members of Council (the "Code" and "Code of Conduct") requires Council Members to act lawfully, honestly and exercise a reasonable degree of care and diligence in carrying out their functions. Members are ultimately accountable to the public and their constituents. Members' actions and conduct are governed primarily by the rules of the Code. In addition, a number of provisions of the Code incorporate policies and procedures of the City. Council Members are reminded that they are required to observe the terms of all policies and procedures established by the City that govern their actions, activities and conduct. Members of Council must pay special attention to, and comply strictly with, the Council Member Expense Policy (the "Expense Policy") and are reminded that a breach of the Expense Policy is considered a breach of the Code of Conduct.

The purpose of this Information Bulletin is to provide guidance to Council Members to facilitate participation in approved travel in their official capacity in accordance with their duties of Office. When deciding what activities are lawfully permitted in their official capacity when travel is involved, Council Members are reminded that they are required to follow the provisions of the Code of Conduct, the *Municipal Conflict of Interest Act*, 1996 ("MCIA"), the Expense Policy and policies that govern the Use of Corporate Resources. Council Members may not use for personal purposes, any City property, equipment, services, supplies and any Council Member's or City budgets, other than for purposes connected with the discharge of City duties.

## GUIDING PRINCIPLES

The Guiding Principles that underline the rules of the Code, the Expense Policy and relevant City Policies and Procedures, shall be used to guide Council Members in decisions on their actions when

travelling in their official capacity. The Guiding Principles will guide the Integrity Commissioner in providing advice and interpretations of the rules.

Allowable travel for the purposes of Code must:

- i. be either through approval by City Council or be in compliance with City Policies and Procedures in support of current international, provincial, municipal or intergovernmental objectives, priorities, and business plans of the City; and
- ii. promote the City of Vaughan, in accordance with approved directives, policies and decisions of City Council; and not include speaking engagements or travel within the destination location, unless authorized by City Council. Council Members may extend stays for personal reasons with any difference in cost to be paid as a personal cost of the Council Member.

Members must:

- i. ensure that their conduct during the activities subject of the travel, does not conflict with Council Member responsibilities and duties under applicable statutory and City rules. Where the timing of travel is discretionary, any conflict with Council or Committee meetings or other City responsibilities should be avoided;
- ii. manage their expenditures and coordinate their plans to avoid overlapping/conflicting scheduling by the City department organizing the travel, unless there is a sound business practice reason for doing so;
- iii. follow the Gifts and Benefits rules of the Code, in particular with respect to receipt of incidental gifts and benefits, where the total value may exceed limits set in the Code and may be perceived to potentially influence decision making of the Member.

## Relevant Code of Conduct Rules and the Role of the Office of the Integrity Commissioner

### Rule No. 2 – Gifts and Benefits

No Member shall accept a fee, advance, gift, loan, or personal benefit that is connected directly or indirectly with the performance of his or her duties, except as specifically contemplated

#### Approved Exceptions

(f) food, lodging, transportation and entertainment provided by provincial, regional and local governments or political subdivisions of them, by the Federal government or by a foreign government within a foreign country or by a conference, seminar or event organizer where the Member is either speaking or attending in an official capacity in an official event;  
*(for greater certainty of item (f), where Council has authorized or endorsed an initiative or event, this would be considered an official event.)*

### Rule No. 18 – Failure to Adhere To Council Policies and Procedures:

Members shall adhere to such by-laws, policies and procedures adopted by Council that are applicable to them.

Commentary – Members of Council must pay special attention to, and comply strictly with, the Councillors Expense Policy

### Rule No. 15 – Discreditable Conduct

Members shall conduct themselves with appropriate decorum at all times

### Rule No. 16 - Conduct Respecting Staff

No Member shall compel staff to engage in partisan political activities or be subjected to threats or discrimination for refusing to engage in such activities.

No Member shall use, or attempt to use, their authority for the purpose of intimidating, threatening, coercing, commanding, or influencing any staff member with the intent

of interfering in staff's duties, including the duty to disclose improper activity.

Members shall be respectful of the role of staff to advise based on political neutrality and objectivity and without undue influence from any individual Member or faction of the Council.

No Member shall maliciously or falsely impugn or injure the professional or ethical reputation, or the prospects or practice of staff and all Members shall show respect for the professional capacities of the staff of the City.

### Rule No. 14 – Harassment

Members shall be governed by the City's Respectful Workplace Policy.  
Harassment by a Member of another Member, Staff, or any member of the public, is misconduct.

The Code rules apply to actions, behaviour and conduct of Council Members that may occur at any City workplace/worksites or location where the business of the municipality is being conducted or during the course of any City business, activities and events at which Council Members interact or are required to interact, including but not limited to City premises and property; off-site premises and property; City sponsored functions, events and meals; travel venues while on City business; and any site where the Council Member is conducting City business or representing the City.

When investigating a Code complaint or when providing MCIA advice relating to Council Member travel activity, the Integrity Commissioner will refer to the Expense Policy when deciding if the conduct of a Council Member is permitted. Questions about allowable travel expenses should be directed to the Deputy City Manager Corporate Services, City Treasurer and CFO. Council Members are required to provide relevant information about the nature of the expense in order to assist the Integrity Commissioner's review of their conduct. The Integrity Commissioner will seek confirmation that the Council Member's action was required in the performance of the Council Member's duties or function and the steps

taken by the Council Member in seeking advice from City staff.

If following a Code Complaint Investigation, there is a finding of a breach of the Code or Expense Policy, the Integrity Commissioner may recommend that the Council Member repay all or part of the claimed expense. The Integrity Commissioner can also recommend remedial action, which would be determined on a case-by-case basis. Both repayment and remedial action must be completed on or before a date specified by the Integrity Commissioner.

## Sponsored Travel Declarations FAQs

### **Question:**

Is a Member permitted to accept an invitation to an event in another country when the organizers are paying some or all of the Member's expenses including the cost of flights and accommodation?

### **Answer:**

It depends. If the Member is attending the event as a representative of the City of Vaughan and if the inviting body is governmental in nature, the payment of their expenses will be permissible under the exceptions to the prohibition on the receipt of gifts and benefits found in Rule 2 of the Code of Conduct. Depending on the circumstances, it will amount to "food, lodging, transportation and entertainment provided by a foreign government within a foreign country" or benefits that "normally accompany the responsibilities of office and are received as an incident of protocol, custom or social obligations".

On the other hand, if the invitation comes from the private sector and the inviting organization is doing business with or seeking to do business with the City, the payment of the Member's expenses may trigger lobbying rules and/or the gifts and benefits rules. Generally, there is no problem with accepting the invitation and paying their own expenses. If this is a Council endorsed initiative or event, this would be considered an official event (under the commentary to exception (f) Rule 2 and this would not be a gift or benefit requiring declaration by the Member)

### **Question:**

May Members of Council accept invitations by other governments or conference organizers to travel to participate in conferences, tours or other similar engagements?

### **Answer:**

This is commonly referred to as sponsored travel. Exception (f) in Rule 2 (Gifts and Benefits) of the Code of Conduct permits this type of benefit and requires public disclosure.

The Integrity Commissioner recommends that Members of Council seek advice from City staff prior to accepting travel so that any issues can be resolved before the funds are spent. If sponsored travel is not permitted, the Member may be required to reimburse the funds. When advice is sought in advance, the post-travel disclosure becomes an administrative process and reduces the risk of repayment

### **Question:**

May a Member of Council accept lodging and transportation for a spouse on a trip to a conference where the Member is attending and speaking in an official capacity? (The donor is not a registered lobbyist or a client of a registered lobbyist.)

### **Answer:**

The Code of Conduct (Section 2 -Gifts and Benefits) permits acceptance under paragraph (f) of the rule. Any expenses covered for the Councillor's spouse are deemed to be a gift/benefit to the Councillor, unless otherwise provided by the Expense Policy. As a result, both the Councillor and his/her spouse may accept the lodging and transportation reimbursement, subject to City rules.

### **Question:**

Can a Member of Council receive an invitation with sponsored lodging, transportation and entertainment provided by a registered lobbyist?

### **Answer:**

No. The Code of Conduct Commentary (Section 2 – Gifts and Benefits) prohibits gifts or benefits from a registered lobbyist or a client. If the elected official attends the event at his/her own expense, he/she should ensure that any conversations are in compliance with the [Lobbying By-Law](#).

The Lobbyist Registrar is available to provide advice in advance of any contacts which could result in lobbying activity. The link to the Lobbyists Registrar's web site is available [HERE](#)<sup>1</sup>

**Question:**

May a Member of Council speak at a community organization's meeting about a local issue being held in a location that requires travel?

**Answer:**

Members should consult with City staff about compliance with the Expense Policy and with the Integrity Commissioner and Lobbyist Registrar about the potential impact of any expense transaction on their compliance with the Code of Conduct and the Lobbying By-law. The role of a Member of Council and their role as an individual and a business operative must be kept separate and distinct.

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<sup>1</sup> Lobbying of public office holders is permissible but is a regulated activity in the City of Vaughan. Lobbying is defined and regulated by By-law Number 165-2017 (the City's lobbying by-law inclusive of the Lobbyist Code of Conduct.) As a matter of general principle, as public office holders, Members of Council should be familiar with the terms of the Lobbying By-law inclusive of the Lobbyist Code of Conduct. If a

Member is or at any time becomes aware that a person is in violation of the Lobbyist Code of Conduct or registration regime, the Member should draw that person's attention to the obligations imposed by the Lobbying By-law and Lobbyist Code of Conduct. A Member should report any such violation or attempted violation to the Lobbyist Registrar.

**APPENDIX 1**

Applicable Rules of the [Council Member Expense Policy CL - 012](#)

<p><b>9.21</b> <b>Spousal/ Companion Expenses</b></p>	<p><b><u>Eligible Expense (Council Member Budget):</u></b> It may be protocol, in exceptional circumstances where it is customary and expected that a spouse/companion attend, based on the nature of the event (e.g., gala), to have a spouse/companion attend a function due to:</p> <ol style="list-style-type: none"><li>1. Hospitality</li><li>2. <i>Community Expense (Event Tickets).</i></li></ol> <p>Refer to appropriate sections for complete details.</p> <p><b><u>Ineligible Expense:</u></b> Spousal/companion fees for airline tickets, conference registrations, additional accommodation, meals, travel, tours etc should be paid for personally.</p>
<p><b>9.22</b> <b>Spousal Expenses</b></p>	<p><b><u>Eligible</u></b></p>
<p><b>9.29</b> <b><u>Transportation: Mileage &amp; Parking, Taxi, Car Rental, Bus, Subway, Train</u></b></p>	<p><i>Council Members (excluding the Mayor) have a choice between:</i> (a) Monthly Allowance or (b) Mileage Claim. (a) <i>Monthly Allowance Method (no details required)</i> The Allowance is conditional to a boundary of 80 kms one way from City Hall.</p> <p><b><u>Eligible Expense (Council Member Budget):</u></b> The Committee of the Whole approved a new mileage allowance of \$768 per month.</p> <p>Transportation (air, train, bus, car rental) or kilometrage (if driving) to get from City Hall to destination and return. If driving, total kilometers claimed must be reduced by 160 kms by Council Members on the Allowance method.</p> <p>Council members on the monthly Allowance may only claim business related taxi, car rental, bus, subway/train expenses if the destination city is more than 80 kms one way from City Hall. Within the boundary of 80 km one way from City Hall, these expenses cannot be claimed.</p> <p>Business-related parking fees</p> <p><b><u>Narrative:</u></b> Monthly Allowance is to cover all local business related travel expenses (subway, bus, taxi, car rental, train, mileage) within the boundary (within 80km one way from City Hall). No details of mileage are required by the City.</p> <p>The monthly Allowance once chosen, will be enforced to the end of the tax year.</p> <p>A Council Member’s decision for the monthly Allowance must be in writing and sent to the Director of Human Resources.</p> <p>Without written notification, Council Members will be reimbursed.</p> <p><b><u>Claim method.</u></b> Allowances will show on the annual T4. Council Members must keep records of personal and business mileage for Income Tax purposes.</p> <p>Business-related Parking expenses must be supported with original receipts.</p>

**(b) Mileage Claim Method (Details Required)**  
**Eligible Expense (Council Member Budget)**

Use of personal vehicles to travel for business purposes. Cannot claim travel expense (rides on cabs or other modes of transportation) between home and the normal work location. For Council Members, City Hall is considered their normal work location.

Business related taxi, car rental (includes insurance coverage, gasoline costs), bus, subway/train expenses.

Transportation (air, train, bus, car rental) or kilometrage (if driving) to get from City Hall to destination and return.

If travel from home to destination to City Hall to home , claim total kilometers less distance from home to City Hall to home and any personal mileage. If travel from home to destination to home, claim total kilometers less distance from home to City Hall to home. I.E. for ALL mileage claims, claim total mileage less (distance from home to City Hall to home and any personal mileage).

Business-related parking fees.

Business Trips by Council Members or their staff.

<p><b>9.31</b>  <b>Travel: Conferences, Seminars and Business Trips</b></p>	<p><b>Eligible Expense (Council Member Budget):</b>            Conference registration            Transportation (air, train, bus, car rental) or kilometrage (if driving) to get from City Hall to destination and return. If driving, the lesser of economy airfare or mileage will be reimbursed. Total kilometers claimed must be reduced by 160 kms and any personal mileage by Council Members on the Allowance method.</p> <p>Council members on the monthly Allowance may only claim these business related taxi, car rental, bus, subway/train expenses if the destination city is more than 80 kms one way from City Hall as the Allowance replaces claiming these expenses.</p> <p>Hotel (lowest rate category available on the basis of single room accommodation only at the government/lowest rate where available). Up charges for additional individuals are a personal responsibility.</p> <ul style="list-style-type: none"> <li>• Business Faxes</li> <li>• Business Computer and Internet Charges</li> <li>• Business Hospitality expenses where an external party is hosted (Hospitality Policy applies).</li> <li>• Trip cancellation insurance</li> <li>• Laundry and dry-cleaning expenses</li> <li>• Business telephone calls</li> <li>• Reasonable personal long distance telephone charges to family at home will be allowed in consideration of being out of town on City business.</li> <li>• Parking</li> <li>• Extra Medical Insurance- only when travelling outside of Canada.</li> </ul>
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Visa expenses and Medical shots only if required and for travelling outside of Canada. If this is covered by the City's medical plan, then expenses may not be claimed.

**Per Diem to cover one or more meals per day. \$125 Maximum (January 1, 2010)**

No receipts are required.

To qualify, overnight stay is required and one must be personally responsible for at least one meal per day. If 3 meals per day are included/provided with the conference fee/seminar/business trip, then cannot claim a per diem allowance.



Should a Council Member not participate in any of the 3 daily meals included/provided for particular reasons, this will not provide grounds to be eligible for the per diem. Original detailed receipts will then be required for reimbursement of meals consumed limited to **\$125 per day** (inclusive of tax and gratuities).

The number of days claimed for the per diem calculation will be the **full or partial days** at the conference/seminar or business trip provided one is responsible for *at least one meal per day* i.e. all meals per day are not included/provided.

**Travel the day before or the day after** the conference/seminar/business trip does not qualify for per diem allowance. Require detailed original receipts for meals.

*Council Members who have a business meeting with an external party at a conference, seminar, business trip, will be reimbursed. Required are (1) original detailed receipts and credit card receipts (2) business purpose of the meeting (3) names of the participants. **Alcohol is a personal expense.** As this meal will be covered by the Council Member's budget, the eligibility for the day's per diem will be determined by the Council Member's responsibility for at least one of the other 2 meals.*

In exceptional circumstances, reimbursement would be permitted for the total day's meal expenses which exceed the per diem rate. Original detailed receipts would be required to support the expenses with a written explanation of the circumstances.

For travel outside of Canada, *per diem will be in U.S. dollars.* No receipts are required.

**Ineligible Expense:**

Personal expenses: - *for example upgrades for airfare or train (see Narrative), personal equipment, personal services, shoe shines, valet parking services, loss of personal effects, purchase of personal goods (luggage, clothing, souvenirs), personal tours, golfing, personal entertainment, spousal/companion expenses (registration, accommodation, meals, travel, golf, dinner dances, tours etc).*

Personal Sightseeing expenses  
Medical Insurance (when travelling within Canada)  
In Suite Services e.g. movies, bar services  
Alcoholic beverages (considered personal expense except in **council-approved** hospitality situations.)  
Also see section 2.3 on ineligible expenses.

**Narrative:**

Must be related to the business of City of Vaughan.

Cash advances for hotel and per diem costs can be requested up to *two weeks* before the travel date.

Reimbursement will be made for airfare, hotel reservations and conference registration fees that are paid in advance.

Economy class for airfare or train. *Upgrades are a personal expense unless approved by Council or a medical note is provided explaining why the upgrade is required.*

**Boarding passes/tickets**, to prove flight taken, will be required to be submitted after the trip.

If a Council Member chooses to use his/her own vehicle as a mode of travel to the destination, reimbursement will be the *lesser* of economy airfare or mileage (less 160 kms and any personal mileage for those on the Allowance).

A Conference may be paid in advance only if the City receives an early-booking discount.

Council Members can request the City to reimburse expenses for only a portion of the trip, if a City program, agency, board, commission or special-purpose body, or any organization which is an **Eligible body** (provincial, regional and local governments or political subdivisions of them, the Federal government or a foreign government within a foreign country, or a conference, seminar or event organizer) where the member is either speaking or attending in an official capacity, under the Code of Conduct, Gifts and Benefits section, or if the Council Member has an official or speaking role at the conference and the organizer is paying the remainder of the costs for the trip.

Council Members must report to the *Integrity Commissioner* within 30 days from the first date of travel, all travel costs *funded* by an Eligible body under the Code of Conduct.

**Business Travel co-ordinated through the Economic Development department- (Economic Development Budget)**

Council approval is required for Council Members prior to the business trip.

All eligible travel expenses will be funded through the Economic Development department's budget.

**Other information about Out-of-Town Conferences, Seminars and Business Travel:**

Attendance at any Conferences, Seminars or Business Trips **outside Canada and the USA, shall be approved by special resolution of Council.**

All travel costs **exceeding \$3800** (January 1, 2010) must be approved by Council

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A *Travel Notification Form* must be submitted to the City Clerk's Office at least 10 days before traveling.

Travel reimbursement must include any itinerary confirming travel dates and airline booking.

Reimbursement of conference registration fees must include a copy of the conference brochure confirming the cost and conference dates.

The reimbursement of hotel costs must include an original hotel invoice itemizing room costs and other incidentals.

Claims for travel, must be submitted to the City Clerk's Office within 30 days after returning from travel. Original receipts must accompany all claims.

Foreign currency will be converted into Canadian currency, based on the exchange rate on the date when the expense was paid, unless a credit card statement is provided to show the actual Cdn dollars charged to their credit card for the expenses.

No report is required on the outcome of a conference however for *business travel a comprehensive report is required.*

Adherence to this Policy does not exempt a Council Member from being subject to a Code of Ethical Conduct investigation, nor does it preclude the Integrity Commissioner from receiving complaints against a Member or investigating complaints under the Code of Conduct Complaint Protocol.

Where the Council Member has sought the opinion of the Integrity Commissioner before traveling, and if the Integrity Commissioner receives a complaint about the very matter on which the Commissioner has already provided an opinion, the Integrity Commissioner may investigate the complaint as (a) the Members may not have followed the recommendations in the opinion of the Integrity Commissioner or (b) some of the facts may have changed from the time the opinion was sought.

Questions about Code of Conduct and Lobbying By-Law rules should be directed to :

Suzanne Craig  
Integrity Commissioner and Lobbyist Registrar  
The City of Vaughan

Phone: 905-832-2281 ext. 8301  
Email: [suzanne.craig@vaughan.ca](mailto:suzanne.craig@vaughan.ca)

<sup>2</sup> The Integrity Commissioner does not have any jurisdiction to determine if a travel expense is eligible for reimbursement or allowable under City expense rules.