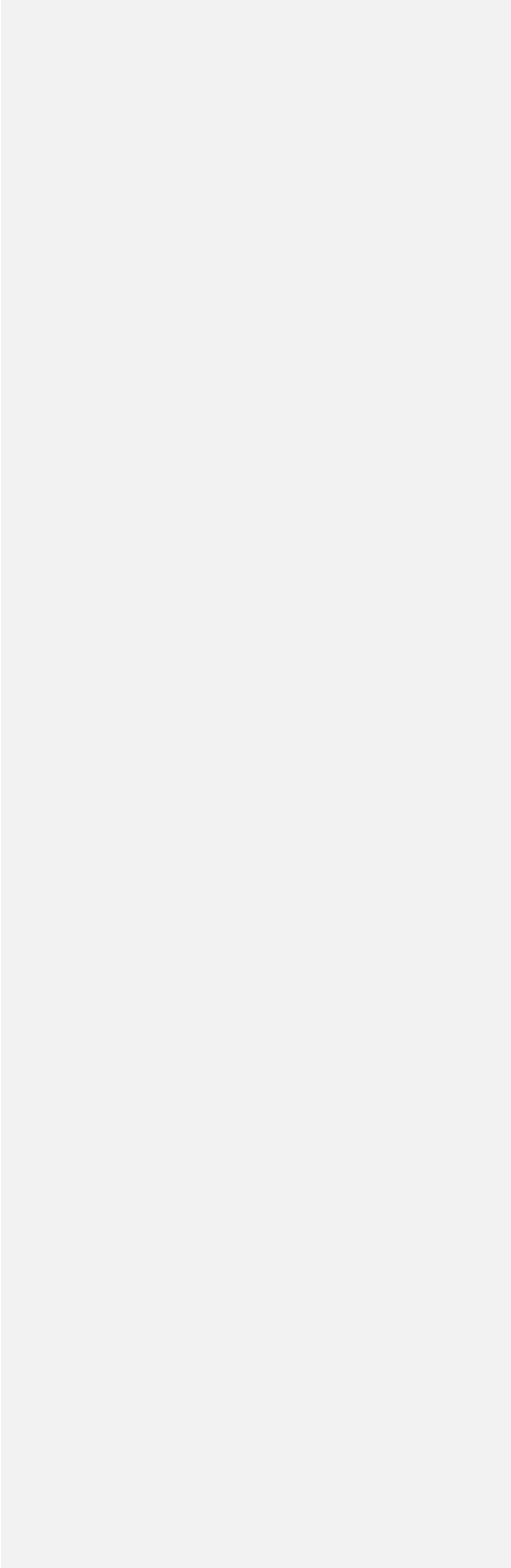


SQUAMISH NATION COUNCIL GOVERNANCE POLICY

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COUNCIL CHAMBERS



“The Skwxwú7mesh Úxwumixw will protect the Amalgamation and enhance the Úxwumixw cultural values and traditions through respect, equality and harmony for all”

The Council table is a significant meeting place for discussions and decisions by Squamish Nation Council. The cedar table was carved by artist Xwalactun (Rick Harry) and installed in the spring of 1995.

The story carved into the Council table carries significant messages from the past, and meaning for present and future generations of the Squamish Nation.

1. *Nséyxní7tm* (protection) represented by 16 Eyes on the outer edge signifies each Councillor being watched by our ancestors, the people, community, family and most of all yourself – reminds us to have honesty and integrity in the decisions made at the table.
2. *Nch’ú7mut* (balance and wholeness) represented by three lines between each Councillor signifying mind, body, spirit to remind us to be balanced in our lives to maintain wholeness.
3. *Sínulhkay* (the Serpent) the “S” shape stands for the Squamish Nation and symbolizes not only the importance of facing our obstacles, but that obstacles will always be present.
4. *Kwéykway* (discussion) represented by the human head in the Serpent’s mouth symbolizes the importance of face to face connection, to be able to communicate.
5. *Xwechtàal* (Serpent Slayer) represents strength and courage to overcome obstacles.

6. *Kál'kalilh* (Wild Woman) figure representing the traditional story of the wild woman coming at nightfall looking for children and reminds us to make decisions in the best interests of and for the protection of our children.
7. *Sp'ákw'us, Sts'úkwi7, Snexwilh* (The Eagle, Salmon, and Canoe) – represents the “Flood Story” – during the flood, the eagle with eyes on its wings watching over us, swooped down, snatched salmon from the river, and dropped them in the canoe and helped our people get through the flood. The story reminds us that the flood is always coming and the importance of being prepared.
8. *Skaatl'* (The Otter) – symbolizes happiness and the importance to be free of stress.
9. *Yéw'yews* (Killer Whale) – symbolizes movement and connection to water.
10. *Mixálh* (Bear) - symbolizes power and connection to land.
11. The landmarks - *Siýám Smánit* (Chief Mountain), *Nch'káy* (Garibaldi), and *Kwetkwétxwem* (Shannon Falls) represents our lands and reminds us to protect our lands.
12. The table is made of *χpaý* (cedar) which represents truth.

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INTERPRETATION

A. Preamble

This Policy has been developed pursuant to Squamish Nation laws, including the *Squamish Nation Election and Referendum Law* (“*Election and Referendum Law*”), and reflects aspects of how the Squamish Nation has governed itself for countless generations. In developing this Policy, protocols and practices were followed for the involvement of Squamish People.

This Policy is an expression of Squamish self-determination, and the Nation’s inherent right of self-government, as affirmed in the *United Nations Declaration on the Rights of Indigenous Peoples* including in articles 3, 4, and 5, and of Squamish Nation sovereignty as recognized by section 35(1) of the *Constitution Act, 1982*.

Draft procedures for Council governance were first developed in 2014 by the Council Co-Chairs at the time. In 2015, Council worked with a consulting team to turn these procedures into the *Governance Manual*. Council further developed the *Governance Manual* and approved it by Council Motion on May 21st, 2015. There were two motions that passed in 2017: the first amended the Governance Manual sections on the Code of Ethics and Conduct, and the second called for a review of the Governance Manual by an independent lawyer. The Governance Manual was further amended and renamed the *Governance Policy* after a review by legal advisors on April 18th, 2018. Following community engagement in North Vancouver and Squamish Valley in 2018, the *Governance Policy* was further refined and amended to improve clarity and reduce redundancies. This Governance Policy is to be interpreted as consistent with all relevant Squamish laws, including the *Election and Referendum Law*, and if there is any inconsistency between the Governance Policy and a Squamish law, such as the *Financial Administration Law*, then the Squamish law prevails. This Policy is to be read and applied in conjunction with the *Council Governance Procedures* (the “**Procedures**”).

This Policy provides clarity on Councillor’s individual and collective roles, responsibilities, and activities and helps ensure the effective, accountable and transparent governance of the Squamish Nation. The Policy is intended to help elevate the work of the Squamish Nation

Council to achieve the best results, with the highest standards, for the Squamish People. In applying this Policy, Council also utilizes *Roberts Rules of Order* to address details of Council functioning that are not addressed in this Policy or another enactment of the Squamish Nation.

The Policy is a living document that may be amended from time to time in accordance with Part 10, including to continue to reflect the highest standards of good governance practice and procedures and the further development of Squamish laws.

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B. Principles of Governance

The Squamish Nation has built the Squamish Nation government according to specifications and preferences that include an electoral system to elect seven (7) Councillors and one (1) Chairperson for a four-year term who is the Squamish Nation Council. Elections of the Council are governed by the *Election and Referendum Law*.

Council shall exercise its authority as a whole and shall make every effort to speak with one unified voice.

The Squamish People are the foundation of our Nation and the governance principles listed below focus on protecting the Amalgamation and enhancing the *Úxwumixw* (the Nation's) cultural values and traditions by promoting respect, equality and harmony for all.

The governing style of Council is based on *chiyáxw* (Nation protocols) that protect the past, present and future of the Squamish Nation and emphasizes leadership based on:

- the healing and well-being of the community;
- creating a sustainable future for generations to come;
- proactive rather than reactive leadership;
- accountability and transparency; and
- a clear separation between the roles, responsibilities, and activities of Council and the roles, responsibilities and activities of staff and clarity on how these relate.

Council governance of the Squamish Nation is based on *tkwayá7nmin* (to hear and listen). Council shall make every effort to remain open to other viewpoints and perspectives and to remain as free of bias as is possible in order to make thoughtful and informed decisions in the best interests of the Squamish Nation.

C. Definitions

1.1 Definitions for commonly used terms within the Council Governance Policy are defined in the Council Governance Procedures and must be used when interpreting the Council Governance Policy.

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PART 1 – COUNCIL TERMS OF REFERENCE

- 1.1 Council shall ensure the Squamish Nation is provided with an effective administration, strong financial and resource stewardship, robust risk management, effective communications, and service delivery without letting Private Interests conflict with the interests of the Squamish Nation.
- 1.2 Council shall ensure that appropriate processes and mechanisms are in place to minimize and prevent financial and other liabilities to the Squamish Nation and, if required, modify operational or other plans accordingly.
- 1.3 Council shall identify and minimize reasonably foreseeable risks to the Squamish Nation and seek advice from staff and other professionals as required to develop action plans to minimize such risks.

A. Principles

- 1.4 Council is designed to be an effective and efficient decision-making body that sets the overall direction and policy agenda of the Squamish Nation, both internally and externally. Council respects and follows the below principles in all its decisions, actions, and behaviours:
 - (a) reflection of both the traditional and contemporary values of the Squamish Nation;
 - (b) promotion, preservation, protection and enhancement of Indigenous rights and title for the Squamish Nation and its People;
 - (c) preservation, protection and enhancement of Squamish Nation lands and territory;
 - (d) preservation and enhancement of the rights and freedoms of the Squamish People;
 - (e) strengthening and enhancement of the foundations of Squamish Nation culture, traditions, language, economies and communities;
 - (f) protection of the Squamish Nation rights as a people to exercise and practice self-determination and self-government;
 - (g) protection of the integrity and authority of Squamish Nation customs, laws, and practices;
 - (h) preservation and enhancement of equal treatment and participation of all Squamish Nation members;

- (i) promotion of a Squamish Nation government that is trustworthy, ethical, stable, responsible and accountable; and
- (j) respect for the separate roles and responsibilities of Council and the administration staff of the Squamish Nation.

B. Responsibilities

1.5 Council's primary role is to:

- (a) provide strategic leadership by advancing, guiding, and protecting the vision of the Squamish People for the Squamish Nation;
- (b) approve annual budgets and financial plans for the Squamish Nation and its entities;
- (c) govern the Squamish Nation administration through oversight and monitoring; and
- (d) appoint individuals to various committees, working groups, or boards.

More detailed responsibilities are outlined in the *Election Referendum Law* section 6.2.2

Strategy Determination

1.6 Council has the responsibility to:

- (a) ensure a Comprehensive Community Plan is in place and updated every 5 years that clearly represents the goals and expectations of the Squamish Nation;
- (b) establish a Strategic Plan after an election;
- (c) implement the Comprehensive Community Plan and the Strategic Plan;
- (d) approve an Operations Plan on an annual basis;
- (e) safeguard and provide stewardship of Squamish Nation's resources in the approval of annual operating and capital budgets and any major economic development project proposals; and
- (f) with the support of senior staff, create an inventory of key policy and strategic issues for discussion and the development and approval of action plans including timelines for senior staff to report back to Council regarding the progress of action plans.

Monitoring

1.7 Council has the responsibility to:

- (a) monitor the Squamish Nation's progress towards the objectives set out in the Comprehensive Community Plan and the Strategic Plan and monitor the performance of approved operational and capital budgets; and
- (b) establish a process for evaluating the effectiveness of the Squamish Nation's internal control systems for maintaining the fiscal integrity of policy and procedures and the financial administration of the Squamish Nation, including in accordance with the section 7.1 of the *Financial Administration Law*.

Financial Stewardship

1.8 In accordance with the *Financial Administration Law* section 7.1 Council has the responsibility to:

- (a) review, amend if necessary, and approve appropriate annual operating and capital budgets;
- (b) appoint an independent auditor on an annual basis to carry out a financial audit of the Squamish Nation;
- (c) review and approve as appropriate the year-end financial statements of the Squamish Nation; and
- (d) review and consider the annual auditor's report and any recommendations of the Squamish Nation's Finance and Audit Committee arising out of that report.

Policy and Procedures

1.9 Council shall ensure that:

- (a) accountability, transparency, and good governance are upheld in Squamish Nation policies and procedures;
- (b) clear and consistent Squamish Nation policies, procedures, bylaws, regulations, rules, directives, guidelines, authorizations, standards, declarations, notices, requirements and directions for all departments are developed and maintained; and
- (c) administration conducts operations at all times in compliance with applicable laws, policies, procedures, and the highest ethical and moral standards.

- 1.10 Council shall conduct periodic reviews of the Squamish Nation's policies and procedures and amend such policies and procedure from time to time.

Senior Staff

- 1.11 Council shall be responsible for the appointment and supervision of senior staff as required including:
- (a) setting out performance expectations and salary;
 - (b) providing an annual evaluation of performance; and
 - (c) providing direction and guidance to the senior staff in the execution of their duties.

General Obligations

- 1.12 Council shall establish relevant programs and services to meet the priority needs of Squamish Nation membership and ensure adequate human and financial resources are in place to deliver these programs and services.
- 1.13 Council shall be prepared to make critical decisions on a timely basis.
- 1.14 Council shall conduct themselves in an accountable and fair manner, consistent with Squamish Nation policies and procedures.
- 1.15 Council shall ensure that all Squamish Nation members and other community members are treated in a fair and just manner with regard to Squamish Nation laws and policies.
- 1.16 Council is responsible for the relationship of the Squamish Nation with other governments, including advocacy consistent with the Squamish Nation's strategic priorities, policies, and mandate. In accordance with this Policy, the Council Chairperson and Spokespersons will lead relations and advocacy with other governments. Individual Councillors may participate in the advocacy process where approval is given from the Chairperson or a majority of Council by way of Motion.

PART 2 – COUNCIL CHAIRPERSON TERMS OF REFERENCE

2.1 In accordance with section 6.2.4 of the *Election and Referendum Law*, the Council Chairperson provides leadership in guiding Council and coordinating its activities in the best interests of the Squamish Nation and is responsible for ensuring the integrity of Council's internal processes are maintained.

A. Responsibilities

Leadership

2.2 The Council Chairperson shall:

- (a) take a leadership role within Council and chair all Council Meetings;
- (b) ensure rules of procedure and proper decorum are maintained at all Council Meetings;
- (c) encourage the participation of all Councillors in Council Meetings, Council Committees and Advisory Committees;
- (d) ensure that periodic monitoring and reporting regarding Council's Strategic Plan and corresponding annual evaluation processes takes place;
- (e) ensure timely review and monitoring of the Code of Ethics and Conduct and conflict of interest provisions of this Policy; and
- (f) exercise signing authority on behalf of Council.

2.3 The Council Chairperson shall:

- (a) lead Council in setting Squamish Nation goals and objectives;
- (b) ensure that a process is in place to evaluate Council performance;
- (c) prepare for, lead, and ensure all Councillors have an opportunity to participate in discussions and deliberations at Council Meetings;
- (d) review with Council any issues of concern amongst Councillors and facilitate resolution of such concerns;
- (e) promote the Squamish Nation value of respect *wanáxws* and *smeñálhs*, which requires all *Skwú7mesh* to treat everyone with respect, dignity and kindness;
- (f) ensure that Council and its members conduct themselves with the highest ethical standards in order to not bring the Squamish Nation into disrepute;
- (g) provide guidance and direction to Council support staff; and

- (h) develop and provide a mandatory orientation briefing for Council with Squamish Nation government departments, including addressing Councillor's roles and responsibilities. Beyond the initial orientation, Councillors shall be provided with ongoing opportunities for capacity development by way of departmental presentations and other Councillor training as deemed appropriate by the Council Chairperson.

B. Coordination And Management Of Council Business

2.4 The Council Chairperson shall:

- (a) chair meetings of Council;
- (b) ensure that appropriate issues are addressed at Council Meetings;
- (c) establish the schedule and agenda of Council Meetings;
- (d) coordinate Council, Council Committee, Advisory Committee and individual Councillor business;
- (e) coordinate requests for briefing notes and related materials for Council Meetings with senior staff and Council support staff;
- (f) communicate significant developments in the affairs of the Squamish Nation with all Councillors as necessary;
- (g) review and assess each Councillor's attendance and performance;
- (h) ensure there is cohesion of Squamish Nation direction and purpose at a policy and strategic level;
- (i) in collaboration with senior staff, ensure that Council has sufficient material, including briefing notes and relevant documentation, to make significant decisions when required;
- (j) ensure an annual report from Council is prepared and provided to membership;
- (k) ensure all Council Meetings are recorded (with the exception of In Camera Meetings);
- (l) ensure that Minutes are produced, reviewed and approved by Council and subsequently published to the Squamish Nation website within a reasonable amount of time;
- (m) provide guidance and direction to senior administrators regarding Council decisions;

- (n) ensure Council Meetings and meetings of Council Committees and Advisory Committees are conducted in an efficient, effective and focused manner;
- (o) ensure that the annual Council calendar includes fulfillment of the requirements set out in this Policy, the Procedures and other enactments of the Squamish Nation;
- (p) set the frequency of Council Meetings and review such frequency from time to time as appropriate or as requested by Council;
- (q) in consultation with Council, facilitate the creation of Council Committees and Advisory Committees as required including the selection of Advisory Committee members;
- (r) participate in and attend Council Committee and Advisory Committee meetings, as appropriate;
- (s) foster a constructive and harmonious relationship between Council and staff;
- (t) liaise with and provide day to day direction to Council support staff; and
- (u) provide direction to Council support staff and senior staff in relation to scheduling and arrangement of memberships meetings and the Annual General Meeting.

C. Monitoring And Oversight

2.5 The Council Chairperson shall:

- (a) maintain and review an inventory of Council Committees and Advisory Committees and committee reports;
- (b) maintain and review an inventory of board appointments and directorships approved by Council, and ensure that appointments and directorships are up to date and free from conflicts of interest;
- (c) maintain a confidential inventory of legal opinions, for use as necessary, including at Council Meetings;
- (d) support the optimal performance of Council Committees and Advisory Committees by maintaining contact with committee chairs and ensuring the terms of reference of all Council Committees and Advisory Committees are adhered to;
- (e) monitor the workloads of each Councillor to ensure they are as reasonably involved in Council work to the extent each is available;

- (f) monitor attendance of Councillors at Council Meetings, Council Committees, Advisory Committees and other related Council work;
- (g) meet informally with Councillors should any internal conflicts arise and work cooperatively to resolve any conflicts and, if and when appropriate, recommend additional processes to help resolve the conflict such as the appointment of a third party to assist, and call on the support of a Governance Office or Ethics Advisor, as necessary;
- (h) ensure that Council receives legal advice regarding significant matters pertaining to the Squamish Nation;
- (i) collaborate with senior staff to coordinate legal activities as directed by Council;
- (j) with the support and advice of an Ethics Advisor, if required, ensure that all ethical guidelines and Code of Ethics and Conduct are respected and adhered to, including at all meetings of Council; and
- (k) ensure there is a procedure to report, investigate, and act upon allegations of wrongdoing in an unbiased and professional manner and protection to persons who come forward with these reports in good faith.

D. Communications and Advocacy

2.6 The Council Chairperson shall:

- (a) gather information from Council and other parties including legal counsel as required when an official statement from the Squamish Nation is required;
- (b) engage and collaborate with Official Spokespersons and the communications team to prepare appropriate Council communications materials;
- (c) represent the Squamish Nation when Official Spokespersons are not available, or in extraordinary circumstances, to deliver Squamish Nation's official communications;
- (d) establish regular meetings with senior staff to ensure that the Nation's strategic goals are being achieved and report to Council on these meetings as appropriate; and
- (e) ensure senior staff is aware of concerns of Council, and conversely, that Council is aware of the principal concerns of staff.

PART 3 – COUNCILLORS TERMS OF REFERENCE

3.1 Each Councillor shall perform their duties in the best interests of the Squamish Nation.

A. RESPONSIBILITIES

Governance

3.2 Each Councillor shall:

- (a) represent the membership in the governance of the Squamish Nation to the best of his or her ability to ensure that the collective interests of Squamish Nation are met, and understand that this duty extends to all members;
- (b) respect the separate roles and responsibilities of Council and administration;
- (c) exercise good judgment and act with integrity;
- (d) respect the confidentiality of any matter identified as confidential;
- (e) report to Council on matters of membership concern or issues that have been brought to that Councillor's attention;
- (f) comply with the Oath of Office, the *Election & Referendum Law*, Code of Ethics and Conduct, and all conflict of interest provisions;
- (g) collectively make decisions and support the collective decisions of Council;
- (h) establish an effective, independent and respectful presence and a collegial relationship with other Councillors;
- (i) where possible, advise the Council Chairperson in advance of introducing significant and previously unknown information at a Council Meeting;
- (j) identify any potential conflicts of interest and ensure that they are appropriately discussed with the Council Chairperson and Council;
- (k) demonstrate a willingness and availability to serve on and actively participate in Council Committees and Advisory Committees; and
- (l) accept assignments and provide regular status reports on on-going work and activities.

B. Preparation and Attendance

- 3.3 Councillors shall ensure that they are prepared for, and attend, all meetings including of Council, Council Committees, Advisory Committee, membership, and the Annual General Meeting.
- 3.4 If a Councillor is unable to attend a Council Meeting, Council Committee meeting, or Advisory Committee meeting, they must provide legitimate reasons by email for their absence to the Council Chairperson with as much notice as reasonably possible prior to the scheduled meeting time.
- 3.5 Councillors shall ensure that prior to making significant decisions, they have been provided sufficient background materials including, but not limited to all relevant written opinions from legal counsel, accountants, financial advisors and other professionals, in advance of the meetings to make an informed decision.
- 3.6 Councillors shall always carefully review and read all documents and background materials before making decisions and keep up to date on Squamish Nation issues by reading all electronic and regular mail.
- 3.7 Councillors shall ensure they have a reasonable knowledge of all policies, bylaws, and internal control structures of the Squamish Nation.
- 3.8 Councillors shall ensure that Council Committees and Advisory Committees, Squamish Nation boards and senior staff report regularly to Council.

C. Reporting

- 3.9 Councillors shall provide a written summary report every two weeks summarizing their Council-related activities:
 - (a) reports shall be due on the Tuesday following the end of the pay period;
 - (b) reports shall be filed with the Council Secretary; and
 - (c) reports shall be in written format (hard copy or electronic).

D. Strategy and Planning

- 3.10 Councillors shall:
 - (a) contribute to and support the overall strategy and planning process of Council;
 - (b) ensure that Squamish Nation culture and values are respected within Council's strategy and planning process; and

- (c) participate in periodic reviews of the general direction and effectiveness of Squamish Nation programs and services to determine if overall strategy and planning goals are being met.

E. Policies and Procedures

- 3.11 Councillors shall contribute to and support the development, review and approval of Squamish Nation policies and procedures.

F. Financial Integrity

- 3.12 In accordance with the *Financial Administration Law* section 7.1 Councillors shall:

- (a) respect and perform their responsibilities in accordance with this Policy;
- (b) be fully accountable to the Squamish Nation membership and to Squamish Nation funding agents and ensure appropriate policies and procedures are in place to maintain accountability;
- (c) ensure that Council receives relevant and timely financial reporting from administration; and
- (d) not use Squamish Nation resources, equipment, supplies, services, or facilities for private gain or personal benefit except on the same basis as such resources are normally made available to all members of Squamish Nation.

G. Communication and Community

- 3.13 Councillors shall:

- (a) participate fully and openly in the deliberations and discussions of Council;
- (b) encourage free and open discussion of matters of Squamish Nation by all Councillors;
- (c) ask probing questions, in an appropriate manner and at proper times;
- (d) focus inquiries on issues related to strategy, policy, implementation and financial results rather than issues relating to the day-to-day management of Squamish Nation and administrative management systems;
- (e) communicate staff issues, concerns, and information requests through the Council Chairperson and not through departments or staff of the Squamish Nation;

- (f) be visible in the community and regularly attend community and cultural events;
- (g) act as a dignitary or event speaker upon request of Council;
- (h) attend and actively participate in all Council Meeting, membership meetings, the Annual General Meeting as well as any other required meetings;
- (i) monitor provincial, national, and other relevant developments relating to First Nations and keep Council informed of relevant policy or legislative changes as appropriate;
- (j) respect the role of Official Spokespersons, and refrain from making any comments on behalf of Council to the media unless such comments are approved by Council;
- (k) respect Squamish Nation policies, procedures and practices regarding internal and external communications; and
- (l) represent the Squamish Nation on issues of political significance, both internally and externally, as assigned by Council.

H. Appointed Activities

- 3.14 From time to time, a Councillor may be appointed by Council to act in an official capacity for Council as:
- (a) Deputy Chair;
 - (b) Official Spokesperson;
 - (c) Chair or member of a Council Committee or an Advisory Committee;
 - (d) Trustee of a trust other than the Squamish Nation Trust;
 - (e) Director or officer of a Squamish Nation Corporation;
 - (f) a representative of the Squamish Nation Council on an external entity such as a committee or board; and/or
 - (g) a member of another entity, where appropriate, as determined by Council.
- 3.15 Councillors who are appointed to external entities as a member of Squamish Council, such as committees, boards, shall:
- (a) receive a letter of expectations for service on external entities approved by Resolution.

- (b) at all times respect their role as a representative of Council and the Squamish Nation and act accordingly;
- (c) be aware of the additional duties and responsibilities that arise with an appointment as a trustee or director;
- (d) participate actively on the external entity to which the Councillor is assigned and regularly attend meetings as required;
- (e) become knowledgeable about and work to achieve the purpose and goals of the committee, board or other entity;
- (f) advise the Council Chairperson about upcoming meetings of the external entity;
- (g) provide Council with summary reports on the work and activities of external entity; and
- (h) alert the Council Chairperson to any possibility of a conflict of interest arising from work on any external entity; and
- (i) report to Council with a detailed briefing note every quarter on their appointed activities

3.16 Council shall use secret ballots to conduct selection of Councillors for external entities.

3.17 Except where otherwise required in this Policy, Procedures, or another enactment of the Squamish Nation, Councillors will be appointed to act in an official capacity for Council by majority vote of Council.

3.18 Councillors shall be permitted to submit a cover letter and resume ahead of any appointment decisions by Council.

3.19 Councillors are not eligible for any remuneration from an entity to which they are appointed to act in an official capacity for Council.

PART 4 – COUNCIL SECRETARY TERMS OF REFERENCE

4.1 The Council Secretary is the individual appointed by the Council Chairperson to provide administrative leadership support to Council in fulfilling the Council’s duties. The Council Secretary is the most senior staff member of the Chair and Council Office.

A. Responsibilities

4.2 The Council Secretary shall:

- (a) ensure all passed Resolutions are recorded and maintained in chronological order;
- (b) ensure that all draft motions are supplied to Council in a timely manner in advance of meetings pursuant to this Policy and the Procedures;
- (c) ensure that all relevant documents and background material are received by Councillors in advance of a meeting to allow Councillors to contribute to the discussions and make informed decisions including written briefing notes, relevant background documents, draft resolutions, and necessary expert opinions pursuant to this Policy and the Procedures;
- (d) provide an orientation package for new Councillors, which shall include the *Election and Referendum Law*, this Policy and other relevant Council materials; and
- (e) keep track of reports required from Councillors and inform the Council Chairperson of any missing Councillor reports.

For more detailed information on Council Secretary roles & responsibilities as it relates to People’s Assembly, please refer to *Election and Referendum Law* sections 6.6.2(a) - 6.6.8. The Council Secretary is also referenced in section 2.91 - 2.92 in the Governance Procedures.

PART 5 – OFFICIAL SPOKESPERSONS TERMS OF REFERENCE

5.1 The Official Spokespersons shall speak on behalf of Council, ensuring that all statements reflect the political position, current strategy, plans, and policies approved or mandated by Council.

A. Responsibilities

5.2 The Official Spokespersons shall:

- (a) faithfully represent and advocate for the Squamish Nation;
- (b) attend and represent Squamish Nation at First Nation meetings, conferences, summits, and events as requested by Council;
- (c) be the official Council voice for Squamish Nation, delivering key messages, announcements, or press releases to the general public;
- (d) be the official media liaison for Squamish Nation in collaboration with the communications team;
- (e) ensure consistent external messaging to achieve Council's communication goals;
- (f) liaise with the internal communications team and senior management for technical and background information;
- (g) consult with external communications consultants as required and approved by Council to ensure the proper preparation, coordination, timing and dissemination of public information to meet the specific circumstances and goals of Council;
- (h) review all media inquiries passed on by the communications team and provide direction and input on next steps; and
- (i) ensure timely reporting to Council on all media relations activities.

PART 6 – CODE OF ETHICS AND CONDUCT

- 6.1 This Part defines the ethical, respectful and professional manner in which Councillors are expected to conduct themselves so as to meet the expectations which the Squamish people have of their public officials.
- 6.2 When Councillors are on their own time, they remain subject to public scrutiny, and therefore have a duty to uphold a high standard of behaviour so as to avoid bringing the Squamish Nation and Council into disrepute.
- 6.3 Councillors must abide by this Policy and Procedures.

A. Exercise of Authority

- 6.4 Council acts as a collective and no individual Councillor shall attempt to exercise individual authority on behalf of the Squamish Nation Council, administration or staff.
- 6.5 Council shall act and communicate as a collective and only Council as a whole has the authority to direct administration or staff, except as noted in this Policy and the Procedures, other applicable Squamish Nation policies, or as explicitly mandated by Council.
- 6.6 With the exception of Official Spokespersons acting in accordance with this Policy and the Procedures, Councillors have no authority to interact with the media on behalf of Council without the prior approval of the Council Chairperson.
- 6.7 Councillors shall raise any issues related to the administration or staff performance with the Council Chairperson, who in turn will raise the matter with the appropriate senior staff.
- 6.8 Councillors shall not directly instruct, direct or discipline staff, with the exception of the Council Chairperson and senior staff reporting relationship.
- 6.9 Councillors shall not intimidate, harass, assault, or otherwise threaten a staff member or person in carrying out their duties, including abiding by the *Respectful Workplace Policy*.

B. Integrity and Loyalty

- 6.10 Councillors shall treat other Councillors, elected and appointed officials, staff and the public respectfully, with patience, courtesy and civility, without abuse, bullying or intimidation, and shall not engage in discriminatory or harassing behaviour at all times.
- 6.11 Councillors shall work towards consensus building and gain value from the expression of diverse opinions.

- 6.12 Councillors shall not promise what cannot be delivered or communicate unrealistic results.
- 6.13 Councillors shall be willing to make unpopular decisions when the Squamish Nation's best interest requires it.
- 6.14 Councillors shall make decisions based on the merits of the issue.
- 6.15 Councillors shall not make defamatory, inflammatory or otherwise false statements.
- 6.16 Councillors shall not undertake activities or make comments in public forums or through social media that they know, or ought to have known, may adversely affect the Squamish Nation's reputation, public image or credibility.
- 6.17 Councillors shall safeguard the ability to make independent, objective, fair and impartial judgments by avoiding financial and other relationships and transactions that may compromise, or give the appearance of compromising, objectivity, independence, and honesty.

C. Rules of Decorum

- 6.18 Councillors shall conduct themselves with a professional demeanour and shall interact with other persons in a tactful and respectful manner in fulfilling their roles and responsibilities as a Councillor.
- 6.19 No Councillor shall:
 - (a) use indecent, offensive, or insulting language;
 - (b) speak on any subject matter other than the subject under debate;
 - (c) disturb a Council Meeting, or another meeting they are attending in their capacity as a Councillor or a representative of the Squamish Nation, with disorderly conduct; or
 - (d) interrupt another Councillor who is speaking, except to raise a Point of Order, a Point of Personal Privilege or Privilege.
- 6.20 Councillors shall not disobey a decision of the Council Chairperson or of Council on a Point of Order, a Point of Privilege or Personal Privilege, or on an interpretation of the rules of procedure.
- 6.21 In the event that a Councillor has been called to order by the Chair and the Councillor continues to breach these rules:
 - (a) the Chair may order the Councillor to leave his or her seat for the duration of the meeting; or

- (b) if the Councillor apologizes for his or her conduct, the Council Chairperson shall request the Councillor leave the room while Council make a decision by majority as to whether to permit the Councillor to resume their Council seat for the remainder of that meeting

6.22 Councillors shall endeavour to resolve interpersonal disputes in good faith.

D. Honoraria, Gifts and Hospitality

6.23 Squamish Nation members expect their elected representatives to remain impartial and to act in the best interests of the Nation at all times, and as such, to avoid the appearance of bias, Councillors shall not accept a personal gift, fee, honorarium, or a personal benefit that is connected with the Councillor's duties from any outside party.

6.24 Councillors shall:

- (a) use their best judgment to avoid situations of real, apparent or potential conflict of interest with respect to honoraria or other fees, gifts, hospitality and other benefits;
- (b) decline any honoraria or other fees, gifts, hospitality, travel, airfare, or other benefits, except as set out in this Policy, that may have a real, perceived or potential influence on their objectivity in carrying out their official duties and responsibilities including, but not limited to, free or discounted admission to sporting and other events, expensive meals, travel or conference fees;
- (c) be permitted to accept gifts, hospitality and other benefits, if they are:
 - (i) infrequent and of minimal value (under \$100);
 - (ii) within the normal standards of courtesy or traditional protocols (such as a blanket during a ceremony);
 - (iii) arise out of activities or events unrelated to the official duties of the Councillor concerned; or
 - (iv) do not compromise or appear to compromise the integrity of the Councillor, Council or the Squamish Nation; and
- (d) seek written direction from the Council Chairperson where it is impossible to decline gifts, hospitality or other benefits that do not meet the requirements set out in (c) above, or where it is believed that there is sufficient benefit to the Squamish Nation to warrant acceptance of certain types of hospitality.

E. Fundraising and Donations

6.25 Councillors shall:

- (a) not solicit donations (either personal or for the Squamish Nation) including gifts, hospitality, other benefits, contributions, or transfers of economic value from a person, group or organization who has, or may have, dealings with the Squamish Nation, with the exception of fundraising for officially supported activities as mandated from Council;
- (b) consider whether any real, apparent or potential conflict of interest exists when fundraising or seeking other donations; and
- (c) require that the fundraising activities be modified or terminated where it is determined that there is a real, potential or apparent conflict of interest or an obligation to the donor.

F. Confidentiality

- 6.26 From time to time, Councillors must deal with strictly confidential matters in their official capacities and in carrying out their duties and are expected to respect and protect the Personal Information of individuals, to comply with the law as it applies to confidentiality, and to comply with the decisions of Council where matters have been deemed confidential.
- 6.27 Councillors shall not use or divulge Personal Information about individuals acquired as result of their role as a Councillor.
- 6.28 Councillors shall not divulge any confidential information as so determined by Council that is acquired as a result of their position as a Councillor including, but not limited to, discussions and documents marked "confidential."
- 6.29 Councillors shall not request any staff member to disclose confidential information about any individual.

G. Accountability

- 6.30 In order to meet the high accountability standards of the Squamish Nation, Councillors shall:
- (a) fulfill the Squamish Nation Oath of Office;
 - (b) carry out his or her duties in good faith and with diligence, care and skill;

- (c) be prudent stewards of Squamish Nation resources and make decisions after taking all necessary steps and careful consideration of their financial and social impact on the Squamish Nation;
- (d) attend all Council Meetings and other meetings identified by the Council Chairperson, except where Council or the Council Chairperson have approved the absence;
- (e) not make a claim for any payment or Financial Benefit from Squamish Nation, if the Councillor is not lawfully entitled to the payment or Financial Benefit;
- (f) not defraud, or attempt to defraud, the Squamish Nation or any subsidiary of the Squamish Nation;
- (g) not make a commitment or raise an expectation on behalf of Council to a member, outside person or organization without prior approval of Council;
- (h) inform the Council Chairperson if convicted of an indictable offence while a Councillor of the Squamish Nation and in the event the offender is a Council Chairperson, inform Council;
- (i) hold no other position as an employee or contractor of Squamish Nation, unless Council, by Resolution, allows the employment or contract to take place under extraordinary circumstances;
- (j) not have a beneficial interest in a company or entity that provides goods or service to Squamish Nation and, if so, shall immediately divest themselves of this interest and provide proof of such divestment to Council;
- (k) not facilitate unequal access by any business, individual or group regarding opportunities to provide goods and services to the Squamish Nation;
- (l) not engage in Misconduct or Wrongdoing as defined in this Policy; and
- (m) report instances of Misconduct or Wrongdoing that they are made aware of regarding the behaviour of other Councillors.

H. Discipline

- 6.31 Council has the responsibility and authority to make and enforce its own rules and penalties for Councillors who are found negligent in carrying out or failing to carry out their duties or are otherwise in contravention with any obligation under the Code of Ethics and Conduct and this Policy or Procedures.
- 6.32 In accordance with this Policy, and after an investigation by the Integrity Commissioner, a Councillor may be disciplined if the Councillor:

- (a) contravenes the Code of Ethics and Conduct, the Policy, or the Procedures;
- (b) is absent from more than four regular meetings in a calendar year without a reasonable excuse approved by the Council Chairperson in advance of the absence in accordance with the *Election and Referendum Law* section 6.4.1(d).
- (c) is charged or convicted of an indictable offence or a summary offence relating to dishonesty while holding the position of a Councillor; or
- (d) engages in any other egregious misconduct.

I. Complaint and Disciplinary Process

6.33 Squamish Nation members, Councillors and staff may submit a complaint to the Integrity Commissioner.

6.336.34 A complaint alleging a ~~Alleged~~ breaches of the Code of Ethics and Conduct, this Policy, or the Procedures by Councillors shall be submitted, in ~~writing, a written~~ complaint addressed to the Integrity Commissioner within six (6) months of the alleged breach.

~~6.34 Where a breach of the Code of Ethics or Conduct has been made, all Councillors shall refrain from commenting on such allegations at meetings of Council.~~

6.35 Subject to section 6.40, Upon receipt of a complaint, the Integrity Commissioner shall conduct a preliminary assessment ~~an informal investigation and determine if the alleged violation at issue may be informally resolved. If at that time, or any time thereafter, the Integrity Commissioner is of the opinion that the complaint is~~

(a) frivolous, vexatious or not made in good faith, or

(b) there are no grounds or insufficient grounds for concluding that a violation of the Code of Ethics and Conduct, this Policy, or the Procedures has occurred,

the Integrity Commissioner will notify the complainant and the Councillor who is the subject of the complaint in writing that the complaint is closed and include the reasons for closing it, and close the complaint.

6.36 Notwithstanding section 6.35, the Integrity Commissioner may request further information from the complainant or any other person before determining whether there are sufficient grounds for believing that a violation of the Code of Ethics and Conduct, this Policy, or the Procedures may have occurred.

6.37 The Integrity Commissioner must consider whether a complaint may be resolved informally. Where the Integrity Commissioner determines that a complaint may be resolved informally, the Integrity Commissioner, at their discretion, may either attempt to resolve the complaint directly, or take other steps as they determine appropriate.

- 6.38 In the event the Integrity Commissioner receives multiple complaints concerning the same matter, the Integrity Commissioner may consolidate complaints, add complainants, and expand the complaint, for the purpose of conducting the investigation and preparing the investigation report.
- 6.356.39 If a complaint is not rejected, closed, or resolved informally, the Integrity Commissioner must proceed with a formal investigation.
- 6.36—~~The Integrity Commissioner shall provide a summary report of their informal investigation to Council, including recommendation as to whether a formal investigation should be pursued.~~
- 6.37—~~After reviewing the summary report, Council may authorize a formal investigation by majority vote and such investigation shall be undertaken by the Integrity Commissioner.~~
- 6.40 The Integrity Commissioner must pause a complaint received regarding an existing Councillor seeking re-election in the period starting 60 days before general voting in an election and ending the day after the conclusion of general voting in an election.
- 6.41 Where a complaint is made against a Councillor and the complaint procedure overlaps with a Council election and the Councillor is not re-elected in that election, the Integrity Commissioner may determine the investigation is no longer required and close the complaint on that basis.
- 6.386.42 During the course of a preliminary assessment, an informal or formal investigation, the Councillor(s) being investigated must cooperate and shall provide any and all documentary and other information required in the course of an investigation.
- 6.396.43 Should Council approve, Where a complaint proceeds to a formal investigation, Council can, by majority vote, place the Councillor(s) being investigated on an administrative, non-disciplinary leave of absence with pay while the investigation is taking place. During the administrative leave, the Councillor(s) being investigated will not attend any Council Meetings and will not participate in any Council Meetings.
- 6.406.44 Where Council approves a complaint proceeds to a formal investigation the process to be complied with is as follows:
- (a) A panel of three ~~Ethics Advisors~~Integrity Review Panelists with relevant expertise from the ~~Ethics Advisor~~Integrity Review -Roster will be appointed by Integrity Commissioner as an ~~Ethics Integrity Review~~ Panel to ~~oversee the review of the complaint, its associated investigation, and~~ make a decision on whether disciplinary measures are warranted following a formal investigation by the Integrity Commissioner. ~~cannot in order the outcome of a formal investigation.~~
 - (b) the investigation must take place in a manner that is fair, timely, confidential, and otherwise accords with the principles of due process and natural justice. This shall include opportunities for the Councillor who is the subject of the

investigation to be informed in writing of the subject matter of the investigation, to have opportunities to respond in writing and orally, to be represented by an agent or legal counsel, and to receive written reasons for the decisions by the Ethics Integrity Review Panel.

(c) The Integrity Commissioner may:

- (i) speak to anyone relevant to the complaint;
- (ii) request disclosure of documents relevant to the complaint; or
- (iii) access any record in the possession or control of the Squamish Nation, except a record subject to privilege.

Generally, requests made by the Integrity Commissioner will be made through the Chief of Staff and/or the Chief Administrative Officer.

(b)(d) The Integrity Commissioner shall:

- (i) conduct an independent and impartial investigation of the complaint in a manner that is fair, timely, confidential and otherwise accords with the principles of due process and natural justice;
- (ii) within 20 days of the Integrity Commissioner commencing Council's approval of a formal investigation, provide an investigation update to the Ethics Integrity Review Panel, Council, and the Councillor(s) that is the subject of the complaint; and
- (iii) provide-prepare a written report of the findings of the investigation, including findings as to whether there has been a breach of the Code of Ethics and Conduct or this Policy or the Procedures and where a breach is found, provide recommendations n the Report as to the appropriate resolution of the complaint, including recommended sanctions (the "Report").

(A) Where no breach is found, the Integrity Commissioner will provide a copy of the Report to Council, the Councillor(s) who is the subject of the complaint, the complainant, and where the complainant is staff, a copy of the Report will also be provided to Human Resources. Where the complainant is not bound by confidentiality obligations under this Policy or employment obligations, the process for sharing the findings of the investigation will be determined by the Integrity Commissioner in order to best maintain confidentiality.

~~(B)~~ Where a breach is found, the Integrity Commissioner will provide a copy of the Report to the Integrity Review Panel and the Councillor(s) who is the subject of the complaint.

~~(iii)(iv)~~; and

~~(iv)~~ where a breach has been found, provide recommendations in the Report as to the appropriate resolution of the complaint, including recommended sanctions.

(c)(e) the Integrity Commissioner will retain all Reports prepared as part of a formal investigation;

(d)(f) the Councillor who is the subject of the complaint will be given an opportunity to attend ~~an private meeting~~ In Camera Meeting with the ~~Ethics Integrity Review~~ Panel where the Councillor in question can address the Report of the Integrity Commissioner and the proposed sanction(s);

(e)(g) once all investigations are completed and the Ethics Integrity Review Panel has provided heard from the Councillor(s) who is the subject of the complaint an opportunity to be heard, the ~~Ethics Integrity Review~~ Panel will deliberate and make a decision on whether ~~there has been a breach of the Code of Ethics and Conduct, the Policy, or the Procedures, and if so,~~ disciplinary measures may be warranted; ~~and~~

(h) The Ethics Integrity Review Panel will set out in writing its decision (the "Panel Decision") to the Councillor(s) that is the subject of the complaint and provide a copy to Council and the Integrity Commissioner. The written decision Panel Decision will briefly set out the reasons for any decision and sanction (if any); and

(i) Within 10 business days of the Integrity Review Panel providing the Panel Decision, the Integrity Commissioner will:

(i) provide a copy of the Report and the Panel Decision to Council, the complainant, and, where the complainant is staff, a copy of the Report and Panel Decision will also be provided to Human Resources. Where the complainant is not bound by confidentiality obligations under this Policy or employment obligations, the process for sharing the findings of the investigation and the Panel Decision will be determined by the Integrity Commissioner in order to best maintain confidentiality.

~~(i)(ii)~~ publish an anonymized summary of the Report and the Panel Decision on the Integrity Commissioner secure webpage.

J. Appeals

6.45 Should a Councillor who has received a sanction consider that they wish to appeal the sanction, that Councillor may within 7 days appeal the sanction by filing a review request with the Appeal Tribunal with respect to the Integrity Review Panel's ~~the~~ decision to issue the sanction and the sanction issued.

6.41—The findings of the Integrity Commissioner are not subject to this appeal process.

6.426.46

K. Sanctions

6.436.47 Disciplinary measures may include the following sanctions, and one or more sanctions may be applied as warranted:

- (a) *formal warning* – a written warning setting out the nature of the infraction and directing the conduct cease immediately;
- (b) *censure* – a strong written rebuke stressing the deep disappointment of the Council that the Councillor has tarnished the reputation of the Nation;
- (c) *suspension without pay* – where a serious breach of conduct has been found to have occurred, Council may choose to suspend a Councillor for a period of a minimum of one week and no more than two months;
- (d) *mandated counselling or training* – a Councillor may be mandated to undergo counselling or training to address the complaint;
- (e) *removal from Committees or appointments* – a Councillor may be removed from any appointments they have in their official capacity as members of Council, including appointments to Committees; and/or
- (f) *removal from Council* – a Councillor may be removed from Council in accordance with the *Election and Referendum Law*.

L. Confidentiality of the Investigation Process

6.48 The Integrity Commissioner must make all reasonable efforts to investigate complaints in confidence.

6.49 Councillors, the Integrity Review Panel, the Integrity Commissioner, and every other participant in a complaint process, including Squamish Nation members and staff, must preserve confidentiality with respect to all matters that come into their knowledge in the course of any investigation or complaint, except where required by law.

6.50 Where a complaint has been made to the Integrity Commissioner, all Councillors shall refrain from commenting on such allegations at meetings of Council, unless the

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complaint is on the meeting agenda. Nothing in this section diminishes from obligations under Part 7 of the Policy, Conflict of Interest.

6.51 The Integrity Commissioner will limit disclosure of personal or private information in an investigation report unless required by law.

M. Reprisal and Obstruction

6.52 Councillors, staff, and Squamish Nation members shall not obstruct, or attempt to obstruct, the Integrity Commissioner or the Integrity Review Panel in the carrying out of their respective duties or responsibilities.

6.53 Councillors, staff, and Squamish Nation members shall not threaten or undertake any act of reprisal against a complainant, the Councillor(s) who is the subject of the complaint, or person who provides information to the Integrity Commissioner or the Integrity Review Panel in the context of an investigation.

6.54 Councillors, staff, and Squamish Nation members shall not tamper with or destroy documents or electronic records related to any matter under investigation by the Integrity Commissioner.

6.55 Councillors, staff, and Squamish Nation members are expected to respond to the Integrity Commissioner when questioned regarding an investigation.

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PART 7 – CONFLICT OF INTEREST

- 7.1 Councillors are expected to operate according to the highest ethical standards.
- 7.2 Councillors shall avoid all circumstances that result in actual or perceived conflicts of interest and accordingly shall:
- (a) act with integrity and in a manner that will bear the closest public scrutiny;
 - (b) act in the best interests of the Squamish Nation and not in his or her own self-interest;
 - (c) uphold their fiduciary obligations owed to Council and the Squamish Nation, including always acting in the best interests of Council and the Squamish Nation; and
 - (d) disclose to Council any Private Interests or relationships that they hold that may conflict with the interests of Squamish Nation, and take all possible steps to prevent and resolve any real, apparent, or potential conflicts of interest in favour of the interests of the Squamish Nation.
- 7.3 For the purposes of this Policy, a Councillor is in a conflict of interest where:
- (a) they exercise an official power, duty or function that provides an opportunity to further their Private Interests or to improperly further another person's Private Interests;
 - (b) where there is a reasonable apprehension, which reasonably well-informed persons could properly have that a Councillor has a conflict of interest;
 - (c) they have Private Interests that could conflict with their official duties in the future; or
 - (d) they are involved with a competing or sister organization that may result in a divided loyalty in the context of making a decision.
- 7.4 No Councillor shall make a decision or participate in making a decision if the Councillor knows or reasonably should know that, in the making of the decision, they would be in a conflict of interest.
- 7.5 A Councillor shall recuse their self from any discussion, decision, debate or vote on any matter in respect of which they would be in a conflict of interest.
- 7.6 A former Councillor shall not take improper advantage of their previous position as a Councillor including, but not limited to, the use of any information obtained in the performance of their office not available to the general public for the purpose of gaining

advantage or for the purpose of gaining or furthering a direct or indirect Private Interest.

A. Disclosure

- 7.7 Councillors shall disclose conflict of interest(s) within thirty (30) days following the election and then annually within thirty (30) days of the election anniversary date.
- 7.8 Councillors shall disclose conflict of interest(s) in every Council Meeting where there is a matter on the agenda which may be an actual conflict of interest.
- 7.9 Councillors shall immediately inform the Council Chairperson and Council support staff whenever there is a material change in the information disclosed under this section in relation to:
- (a) all employment or contracts currently held;
 - (b) any existing conflict of interest; and
 - (c) the name of any company or organization that either competes with a Squamish Nation owned business or one that provides or could provide goods or service to Squamish Nation and in which the Councillor either directly or indirectly in any manner is a partner, officer, director, shareholder, advisor, employee or in any other capacity holds an ownership interest or from which the Councillor may receive a financial or personal benefit.

B. Uncertainty

- 7.10 Where a Councillor is uncertain as to whether a conflict of interest exists, the Councillor shall take the matter to the ~~Integrity Commissioner~~ Council Chairperson for consideration, who may seek the advice of an Ethics Advisor if required, to determine whether a conflict of interest exists, and what remedies may be required.

C. Allegations of Conflict of Interest

- 7.11 If, prior to a Council Meeting, Council Committee or Advisory Committee meeting, In the event a Councillor believes another Councillor may be in a conflict of interest, they may raise the matter directly with the Councillor in question, or with the Council Chairperson.
- 7.12 If, during a Council Meeting, Council Committee or Advisory Committee meeting, a Councillor believes another Councillor may be in a conflict of interest they may raise the matter with Council.

7.117.13 If a Councillor believes another Councillor has violated the conflict of interest provisions of this Policy they can submit a complaint with ~~that they immediately report the matter to~~ the Integrity Commissioner, pursuant to Part 6 of this Policy.

D. Compliance Procedures

7.127.14 A Councillor who has a conflict of interest will, without delay, declare the conflict of interest to Council in the following manner:

- (a) prior to a Council Meeting, Council Committee or Advisory Committee meeting,
 - (i) a Councillor who upon receiving notice and ~~or~~ the agenda of a Council Meeting, Council Committee meeting or Advisory Committee meeting believes ~~he or she~~ they may have a conflict of interest in a matter that is being considered shall advise and disclose the reason for the conflict of interest to the Council Chairperson ~~and the Integrity Commissioner;~~
 - (ii) the ~~Council Chairperson~~ Integrity Commissioner shall consider the matter and advise if a conflict of interest exists and, if required, may seek advice from legal counsel or an Ethics Advisor; and
 - (iii) ~~if a conflict of interest exists,~~ the Councillor in question shall not receive the meeting materials specifically related to the matter in which they have a conflict and shall remove themselves from the meeting or any part of the meeting where the subject matter is to be discussed; and
- (b) during a Council Meeting, Council Committee meeting, or Advisory Committee meeting,
 - (i) if a Councillor believes that they have a conflict of interest in a matter that is being considered, shall advise and disclose the reason for the conflict of interest to Council ~~and the Integrity Commissioner;~~ and
 - (ii) declare and disclose the reason for the conflict of interest and leave the room prior to any debate on the question.

7.137.15 Every declaration of a conflict of interest and the general nature thereof shall be recorded in the Minutes of the Council Meeting.

7.147.16 A Councillor with a conflict of interest shall not sign a Resolution, policy, recommendation or letter in respect of the matter.

PART 8 – COUNCIL REMUNERATION

A. Remuneration

- 8.1 Councillors are not classified as employees for the duration of their time in elected office and will be compensated for their service and duty as set out below.
- 8.2 Salaries for Councillors for the four-year term following a regular election must be approved at the People's Assembly following that regular election at which the annual budget is presented for review and comment.
- 8.3 The salary for a Squamish elected official must be based on the following principles:
- (a) the salary should be reflective of the anticipated time spent by Squamish elected officials in performing the duties and exercising the powers of the Squamish Nation government;
 - (b) the salary should be reasonable compensation for the level of service, taking into account the duties and powers of Squamish elected officials in comparison to the duties and powers of similar government officials serving other governments located in the Greater Vancouver Regional District; and
 - (c) the salary cap for the combined salaries of all Squamish elected officials must not exceed 0.12% times the total number of Squamish elected officials of the annual budget of the Squamish Nation.
- 8.4 The level of remuneration for Councillors is set based upon the expectation that Councillors shall spend approximately 220 days per year carrying out duties of Council which may include duties during the day, evening, and weekends.
- 8.5 A Councillor who is not able to make the full-time commitment shall declare in writing to the Council Chairperson the number of days they anticipate being available, and their rate of compensation will be a pro rata share of the full time commitment remuneration determined in accordance with the *Election and Referendum Law*.
- 8.6 A Councillor whose excessive absence is such that they are no longer an effective contributor to Council may have their remuneration reduced at the discretion of the Council Chairperson.

B. Leave from Employment

- 8.7 Any newly elected Councillor who is currently an employee of the Squamish Nation shall resign from employment within thirty (30) days following the election in accordance with the *Election and Referendum Law* section 2.3.1(c)

C. Commencement of Duties

8.8 A Councillor's roles and responsibilities shall commence the day they are sworn in.

D. Group Benefits Entitlement

8.9 Councillors may participate in the Squamish Nation benefit programs where eligible with enrolment beginning on the date the Councillor is sworn in and benefits will include, but are not limited to:

- (a) extended health benefits;
- (b) dental benefits;
- (c) life insurance; and
- (d) group pension plan, and
- (e) any benefit that is given generally to employees of the Squamish Nation

E. Vacation and Holidays

8.10 Council shall set an annual Council, Council Committee and Advisory Committee break of approximately four (4) weeks.

8.11 Statutory holidays and Family Days as provided to Squamish Nation employees are considered paid non-working days for Councillors.

F. Other Remuneration

8.12 Councillors are not eligible for overtime, honorariums, attendance fees or other forms of payment by the Squamish Nation beyond the rate of Council compensation prescribed in this Policy.

8.13 Councillors elected to Council for the first time after March 31, 2015 are not eligible to any retirement allowance, but are eligible for enrolment in the group pension plan.

8.14 Former Councillors who left office with more than 15 years of cumulative service and who were receiving a retirement allowance as of March 31, 2015 will continue to receive a retirement allowance of \$500 a month. If a former Councillor was receiving the retirement allowance upon their death, the retirement allowance will continue for their spouse in the amount of \$300 a month.

8.15 Councillors who were on Council prior to March 31, 2015 and meet the 15 years of cumulative service requirement at the time they cease to serve on Council will receive a

retirement allowance. Their retirement allowance will be determined as a pro rata amount based on the number of years of service achieved up to March 31, 2015.

G. Travel and Expenses

- 8.16 Costs incurred by Councillors while traveling shall be reimbursed in accordance with Squamish Nation Travel and Trips Policy.
- 8.17 All out of town travel shall be approved by Council.
- 8.18 Any Council representation at provincial, national, business or educational conferences shall be decided by Council.

H. Office Equipment and Devices

- 8.19 Councillors shall receive a mobile telephone and may receive other devices such as laptops as approved by Council and distributed by the Council Chairperson.
- 8.20 Councillors are expected to use their mobile phones for Squamish Nation business and reasonable personal use and shall be responsible for any charges related to excessive personal use.
- 8.21 Councillors are expected to protect the confidential information of the Squamish Nation, and therefore shall not allow others, including family and friends, to use their mobile phones or other electronic devices provided by Squamish Nation.
- 8.22 Travel outside Canada may trigger high roaming charges, which shall not be reimbursed as a business expense unless specifically approved by Council or the Council Chairperson before travel.

I. Office Space

- 8.23 Councillors may be allocated office space by the Council Chairperson of Council, subject to the availability of appropriate office space and location.

J. Compensation and Benefits Continuance

- 8.24 Non-returning Councillors not on a Squamish Nation employment leave shall:
 - (a) have their compensation continued until March 15th of the year following the election;
 - (b) shall have their group benefits continued until March 15th of the year following the election;

- (c) not receive contract compensation, honoraria or any other Squamish Nation compensation during this period.

K. Transition to New Term of Council

8.25 In order to ensure a smooth transition, non-returning Councillors shall undertake the following actions within two (2) weeks following the election:

- (a) clear out their personal items from Council office space;
- (b) return any computers, smart phones or other electronic equipment to the Council Secretary or the Human Resources department; and
- (c) provide the Council Chairperson a list of all committees and initiatives on which they acted as a representative of the Squamish Nation so that the responsibilities may be reassigned.

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PART 9 – REVIEW AND AMENDMENT

- 9.1 This Policy is a living document and may be amended from time to time through a vote of 2/3 of the Councillors present and voting at a Council Meeting.
- 9.2 Council must give a notice in the Squamish Nation community at least forty-five (45) days prior to a Resolution to amend the Policy and include the particulars of the proposed amendments.
- 9.3 Council must collect responses from Squamish Nation members who are in favour or opposed to the amendment and read those responses into the record on the day of the Resolution.
- 9.4 The Policy shall be reviewed bi-annually by governance professionals, senior staff, and Squamish Nation members through a comment period of 30 days. This review will include to ensure it is consistent with Squamish Laws and by-laws, including the *Election and Referendum Law*, and if it is found to be inconsistent will take steps to amend the Policy for consistency.

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PART 10 – APPENDICES

APPENDIX A: CODE OF ETHICS AND CONDUCT – ANNUAL DECLARATION

COUNCIL TERM	
APPLIES TO YEAR	
COUNCILLOR’S NAME	

I am a Councillor of the Squamish Nation Council.

I hereby confirm that, before signing below, I have read and am familiar with the Squamish Nation Council Governance Policy and the Squamish Nation Council Governance Procedures and that I have been offered training and assistance in understanding the Code of Ethics and Conduct. I am aware of the provisions of the Code of Ethics and Conduct and its application to my responsibilities. I pledge the following in the conduct of my duties:

AUTHORITY

1. I acknowledge and agree to uphold the collective authority of Council.
2. I acknowledge and agree I have no authority to interact with the media or other entities on behalf of Council regarding any issue or issues that affect or may affect Squamish Nation without prior discussion and approval of Council regarding such interaction excepting that any Councillor may provide their personal opinion and views on any matter of policy of the Nation provided that such Councillor does not disclose any confidential or sensitive information, negotiation position or strategy regarding ongoing interactions of the Nation with business or government bodies and otherwise fulfills confidentiality obligations in respect of the ongoing administration of the Nation.
3. I shall only raise issues of administration or staff performance with the Council Chairperson, who in turn have a responsibility to address the matter with the appropriate senior staff.

4. I will respect and honour all documents signed by approved administrative signing authorities acting on behalf of the Squamish Nation, including but not limited to contracts, purchases and payments.
5. I acknowledge and agree that unless otherwise stated in an applicable policy or direction approved by Council, under no circumstances will I directly instruct, direct or discipline staff.
6. I acknowledge and agree I will not abuse my Council position to intimidate, harass, assault, or otherwise threaten a staff member or any other person.

INTEGRITY

1. I will treat fellow Councillors, appointed officials, staff and public with respect, patience, courtesy and diplomacy, even when disagreeing on what is best for the Squamish Nation. I will not engage in discriminatory or harassing behaviour.
2. I will not promise others something that cannot be delivered by the Squamish Nation or that has not been approved by Council.
3. I am prepared to make unpopular decisions when my duty to act in the best interests of the Squamish Nation requires it.
4. I will not knowingly use false or inaccurate information to support my position or views.
5. I will not do anything or make comments in public forums or through social media that may adversely affect the Squamish Nation's public image or credibility.
6. I will safeguard my ability to make independent, objective, fair and impartial judgments by carefully avoiding financial and social relationships and transactions that may compromise, or give the appearance of compromising, objectivity, independence, and honesty.
7. I will respect and comply with Squamish Nation applicable policy for accepting gifts.

8. I will abide by all Squamish Nation laws, policies and procedures regarding conflicts of interest, including excusing myself from participating in Council decisions when I have a conflict of interest.
9. I will seek to strike a balance between my obligations to be accountable and transparent and inform membership on issues of importance, and my obligations to maintain and protect confidential and sensitive information relating to personnel, legal proceedings, business and governance negotiations and other related confidential and sensitive information of the Squamish Nation.
10. I will not give special treatment or withhold fair consideration to any individual or group beyond that available to any other individual.

CONFIDENTIALITY

1. I shall refrain from disclosing confidential information concerning litigation, personnel, property, economic development, or other confidential affairs of the Squamish Nation, without prior consent of Council or without proper legal authority, and will not use such information to advance my financial or other interests.

ACCOUNTABILITY

1. I will fulfill the Squamish Nation Oath of Service.
2. I will carry out my duties in good faith and with diligence, care and skill.
3. I will abide by all Squamish Nation laws, policies, and procedures.
4. I will not use Squamish Nation resources, equipment, supplies or facilities for private gain or personal benefit.
5. I will be a prudent steward of Squamish Nation resources and actively consider the impact of decisions on the financial and social stability of the Nation and its membership.

6. I will attend all Council Meetings and membership meetings, except where authorized to be absent by Council or the Council Chairperson.
7. I will not make a claim for any payment or financial benefit from Squamish Nation if I am not lawfully entitled to the payment or financial benefit.
8. I will not defraud, or attempt to defraud, the Squamish Nation or any subsidiary of the Squamish Nation.
9. I will inform the Council Chairperson if charged and/or convicted of an indictable offence while a Councillor of the Squamish Nation

RESPECT

1. I will treat my fellow officials, staff and the public with patience, courtesy and civility, even when we disagree on what is best for the Squamish Nation.
2. I will work towards consensus building and gain value from diverse opinions.
3. I will respect the distinction between the role of Council and the role of Squamish Nation administration, and I will refer all administrative matters and concerns to the Council Chairperson.
4. I will conduct myself in a courteous and respectful manner at all times during the performance of my official duties.
5. I will respect, protect and enhance our Nation's cultural values and traditions.

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Councillor Signature

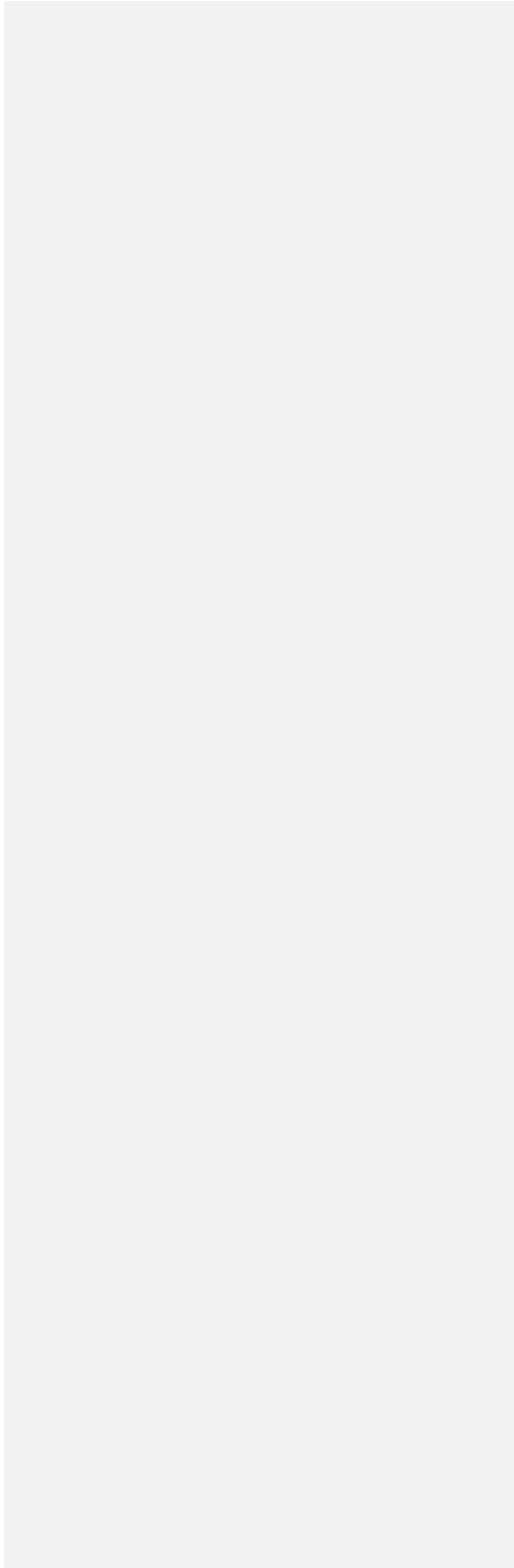
Date

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Witness Signature

Date

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APPENDIX B: CONFLICT OF INTEREST – ANNUAL DECLARATION

APPLIES TO YEAR	
COUNCILLOR'S NAME	

I am a Councillor of the Squamish Nation Council.

I hereby declare that, before signing below, I have read and am familiar with the following and agree to comply with:

1. My obligations set out in the provisions of the Squamish Nation Council Governance Policy and Squamish Nation Council Governance Procedures of the Squamish Nation;
2. My obligation to sign an annual disclosure and give it to the Council Secretary for review, of any Private Interests I have that could result in a potential conflict of interest and to take all reasonable steps in accordance with the requirements of the Squamish Nation Council Governance Policy and Squamish Nation Council Governance Procedures to avoid conflicts of interest;
3. My obligation to notify the Council Chairperson in a timely manner when any material change to my conflict of interest disclosure arises;
4. The requirement of Council that I annually confirm the above in writing by signing and dating this declaration and providing it to the Council Secretary, for filing and retention in the records of the Squamish Nation.

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Councillor Signature

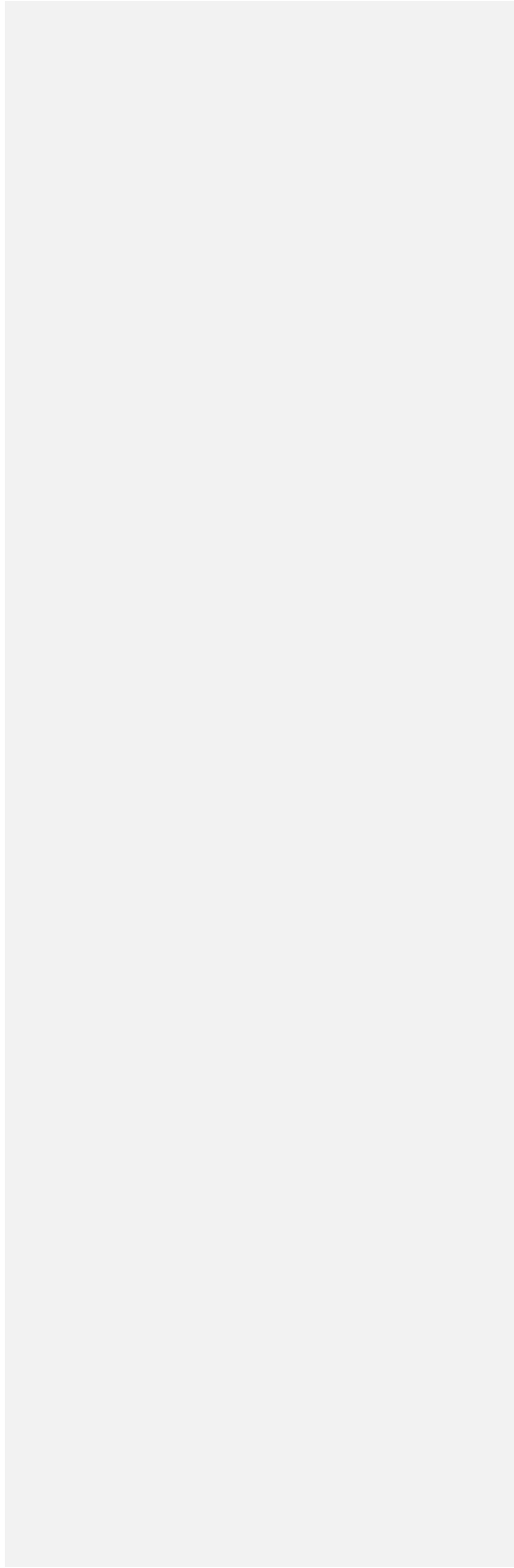
Date

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Witness Signature

Date

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APPENDIX C: CONFLICT OF INTEREST – ANNUAL DISCLOSURE

APPLIES TO YEAR	
COUNCILLOR'S NAME	

A Councillor is in a conflict of interest when:

- (a) they exercise an official power, duty or function that provides an opportunity to further their Private Interests or to improperly further another person’s Private Interests;
- (b) there is a reasonable apprehension, which reasonably well-informed persons could properly have that a Councillor has a conflict of interest;
- (c) they have Private Interests that could conflict with their official duties in the future; or
- (d) they are involved with a competing or sister organization that may result in a divided loyalty in the context of making a decision.

- 1) Every elected Councillor shall disclose any conflicts of interest conflicts of interest within thirty (30) days following the date of their election.
- 2) Every Councillor shall be required to annually review previous disclosures and update as necessary.
- 3) Every Councillor shall immediately advise the Council Chairperson or Council as a whole should a perceived or actual conflict of interest arise before the annual disclosure.

Some examples of circumstances where a conflict of interest may arise in relation to personal matters include, but are not limited to:

- (a) directorships or other employment in agencies or companies that have a professional or business relationship with Squamish Nation;
- (b) interests in business enterprises or professional practices that provide or may provide services to the Squamish Nation;
- (c) existing professional and business relationships with the Squamish Nation;
- (d) professional associations or relationships with other organizations that do business with the Squamish Nation; and

(e) any Related Persons that have or may have a professional or business relationship with the Squamish Nation.

4) Every Councillor shall disclose any obligation, commitment, relationship or interest that could conflict or may be perceived to conflict with their duties to the interests of the Squamish Nation.

1) Names of the Councillor's dependents at the time of the disclosure:

2) Employment held by the Councillor's spouse at the time of disclosure:

3) I hold the following offices (appointed or elected):

4) An actual, perceived, or potential conflict of interest with my duty as a Councillor may arise because I, or a Related Person, receives financial remuneration (either for services performed, as an owner or part owner, trustee, or employee or otherwise) from the following sources:

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- 5) Real property, including any interest in Squamish Nation lands, such as a Certificate of Possession, permit, lease or mortgage, interest in an estate, owned by the Councillor or the Councillor's spouse at the time of the disclosure:

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6) Other than disclosed above, do you have any relationships or interests that could compromise, or be perceived to compromise, your ability to exercise judgment or decision-making independently and objectively with a view to the best interests of the Squamish Nation? If yes, please provide details.

Yes __ No __

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Councillor Signature

Date

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Witness Signature

Date

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APPENDIX D: OATH OF OFFICE

To you, the Squamish Peoples, as a leader chosen by you, and given this sacred responsibility by you, I will respect our ancestors, our people today and the future generations of our Peoples. In my capacity as your elected leader, I commit to and will:

1. Perform the duties as an elected leader to the best of my abilities,
2. Exercise the powers of my office only in the best interests of the Squamish Peoples and the Squamish Nation,
3. Use these responsibilities of my position, always, with due diligence, care and skill in a reasonable and prudent manner,
4. Place the interests of the Squamish Peoples above my Private Interests
5. Not use the powers of this office for my personal gain, or for the personal gain of my friends or immediate family members,
6. Attend all duly convened meetings, on time and in full, unless I must be absent for a reasonable excuse,
7. Ask for help, assistance or guidance when I need it,
8. Immediately declare any personal conflict of interest that may come to my attention in accordance with all applicable laws, policies, and procedures
9. Be honest, ethical and act with integrity in my duties as an elected leader,
10. Be open, and transparent in all decisions, dealings and activities in my role as an elected leader, unless otherwise required under the confidentiality rules,
11. Treat all members of the Squamish Nation with equality and equity, fairness and respect,
12. Consider in my deliberations and decision making the impact on at least the next seven generations of the Squamish Peoples,
13. Keep confidential all information that I learn about the Squamish Nation government, its business interest, its employees, collective bargaining and any other matters specifically determined by Council to be matters of confidence, including matters dealt with during In Camera Meetings of Council,
14. Report to the Electoral Commission, without delay, any suspected activity that is a contravention of this oath by other elected officials,

- 15. Report and communicate to Squamish members, on a regular basis, my activities, decisions and reasons for them,
- 16. Report to Squamish members first and foremost on the main decisions and developments without delay, and
- 17. I will immediately resign my position as a Squamish elected official if I have breached my oath of office.

Declared before me on this ____ day of _____, 20____.

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Councillor Signature

Date

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Witness Signature

Date