



LGMA

LOCAL GOVERNMENT
MANAGEMENT ASSOCIATION
OF BRITISH COLUMBIA

Code of Ethics

Complaint Procedure

Any person wishing to make a complaint (a "complainant") about the professional conduct or behavior of an LGMA member shall do so through the following procedure:

1. Submit in writing, a letter setting out the circumstances on which the complaint is based including copies of any and all relevant documents supporting the complaint. Complaint letters and enclosures should be mailed to the Executive Director at the address noted below and should be of reproducible quality.
2. The Executive Director will write to the complainant to acknowledge receipt of the complaint within 21 days of receipt. The Executive Director may request further information or clarification. The file may be referred at this stage to the Ethics Committee, who may determine that it would not be appropriate to proceed with the complaint. Typically this occurs where the complaint letter and documents do not disclose a potential breach of the Association's Code of Ethics.
3. In cases where the complaint is being made on behalf of an organization or local government board or council, the Executive Director will require written confirmation from the Mayor or Chairperson that the complaint is being made on behalf of that body. In the absence of this, the complaint file will be closed.
4. Once the required information has been received from the complainant, the Executive Director will write to the member who is the subject of the complaint, enclosing a copy of the complaint materials and requesting a written response to the complaint. A time limit of 30 days will be set for receipt of the member's response by the Association.
5. Upon receipt of the member's response, the Executive Director will forward the member's response to the complainant and ask if the complainant wishes to make any reply to the member's response or if the complainant is satisfied with the member's response to the complaint and wishes to withdraw it. However, the Association has the power to pursue a complaint even if the complainant wishes to withdraw it.
6. The Executive Director may also request or obtain documents from other sources, as necessary. Once the Executive Director has all the required documents and information, the file is given to the Ethics Committee to review the complaint documents

and any report by the Executive Director.

7. If after the review the Ethics Committee considers that further investigation of the complaint is not warranted, the complainant and the member are informed, in writing, of the reasons.
8. If the Ethics Committee considers that further investigation of the complaint is warranted it may then conduct a further investigation and request additional information from the complainant, the member or others with knowledge of the circumstances relating to the complaint and may, at the Ethics Committee's discretion, include an enquiry where oral submissions are received.
9. If the Ethics Committee determines that the file should be closed with no further action, the complainant and the member are informed, in writing, of the reasons why. The Ethics Committee may also make recommendations to the member.
10. If the Ethics Committee determines there are reasonable and probable grounds to believe that the member has breached the Code of Ethics, a report to this effect will be made to the Board of Directors of the Association, who, upon a two thirds vote of all board members, may do one or more of the following:
 - (a) reprimand the member;
 - (b) impose conditions on the membership of the member;
 - (c) suspend the membership of the member;
 - (d) adopt a resolution recommending that the member be expelled from the Association.
11. (a) A member subject to a resolution under 10(d) may be expelled by a special resolution of the members of the association at a general meeting.
 - (b) The notice of special resolution for expulsion shall be accompanied by a brief statement of the reason or reasons for the proposed expulsion.

The person who is the subject of the proposed resolution for expulsion shall be
 - (c) given an opportunity to be heard at the general meeting before the special resolution is put to a vote.
12. Except for an action taken under Section 11, all deliberations of the Ethics Committee and of the LGMA Board of Directors in respect to a Code of Ethics complaint will be held in closed session that will not be open to the public, the complainant, or the member subject to the complaint.
13. The Local Government Management Association accepts no liability or responsibility for actionable or potentially libelous statements made by parties to a complaint by virtue of having received them in the course of its investigation of a matter under the Code of Ethics.
14. The decision of the Board of Directors in respect to a matter under the Code of Ethics is final and not subject to appeal.

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