

CODE OF CONDUCT POLICY FOR TOWN COMMITTEES, BOARDS, COMMISSIONS, COUNCILS, AND TRUSTS

I. Purpose

The intent of this policy is to establish clear guidelines to serve as the standard for achieving and maintaining a high level of public confidence, trust, and professional respect with regard to how the Town and its officials conduct business. This policy is intended to define and create a centralized policy with regard to standards of conduct.

II. Applicability

This policy and all its sections shall apply to the Select Board and to the committees, boards, commissions, councils, trusts, presiding officers, public officials, and other representatives of the Town appointed by the Select Board and those appointed by the Town Administrator.

- The term “Board” shall apply to the Town’s Select Board.
- The term “member” shall apply to those appointed by the Select Board or the Town Administrator.
- The term “official” shall apply to a Select Board member or a member appointed by the Select Board or the Town Administrator.
- The term “appointing authority” shall apply to the Select Board or the Town Administrator.
- The term “committee” shall apply to those committees, boards, commissions, councils, and trusts appointed by the Select Board or the Town Administrator.
- All committee members, board members, commission members, council members, trust members, presiding officers, public officials, and other representatives of the Town appointed by the Select Board or the Town Administrator, and other officials mentioned in this guideline, are subject to this policy.

III. Code of Conduct

These obligations and commitments shall be assumed by all members of the Board and other officials defined in the Applicability section:

A. Conduct Generally and in Relation to the Community

- Be well informed concerning the local and state duties of a committee member.
- Remember that you represent the Town of Norfolk at all times.
- Accept your position as a means of unselfish public service, not to benefit personally, professionally, or financially from your committee position.
- Recognize that the chief function of local government at all times is to serve the best interests of all of the people.
- Demonstrate respect for the public that you serve.
- Safeguard confidential information.
- Seek no favor and believe that personal aggrandizement or profit secured by holding these positions is dishonest and/or unlawful.
- Conduct yourself so as to maintain public confidence in our local government.
- Conduct official business in such a manner as to give the clear impression that you cannot be improperly influenced in the performance of your official duties.
- Unless specifically exempted (e.g. executive session), conduct the business of the public in a manner that promotes open and transparent government and maintain full compliance with the Open Meeting Law.
- Comply as fully as possible with all Town policies, including, without limitation, the following:
 - Equal Employment Opportunity Policy,
 - Anti-Discrimination and Anti-Harassment Including Sexual Harassment Policy,
 - Anti-Bullying Policy,
 - Electronic Communication Policy,
 - Fraud and Theft Prevention Policy.
- Comply as fully as possible with all applicable laws, including, without limitation, the following:
 - The Open Meeting Law,
 - Procurement Laws,
 - The Ethics/Conflict of Interest Statute (G.L. c.268A).

B. Conduct in Relation to Your Fellow Committee Members

- Treat all members of the committee with respect despite differences of opinion; keeping in mind that professional respect does not preclude honest differences of opinion, but requires respect within those differences.
- Recognize your responsibility to attend all meetings to assure a quorum and promptly notify the chairperson should you for any reason be unable or unwilling to continue to serve. Formal notice to resign from a committee requires written notification to the Town Clerk.
- Recognize that action at official legal meetings is binding and that you alone cannot bind the committee outside of such meetings.
- Refrain from making statements or promises as to how you will vote on quasi-judicial matters that will come before the committee until you have had an opportunity to hear the pros and cons of the issue during a public meeting.
- Uphold the intent of executive session and respect the privileged communication that exists in executive session.
- Make decisions only after all facts on a question have been presented and discussed.

C. Conduct in Relation to the Town Administrator

- Recognize and support the administrative chain of command and refuse to act on complaints as an individual outside the administration.
- Give the Town Administrator full responsibility for discharging their disposition and/or solutions.
- Refrain from giving orders or directions to the Town Administrator for action as an individual committee or Board member.
- Refrain from giving instructions to or requesting assistance from Town department heads or employees, but rather channel all such activities through the committee or Board who will refer it to the Town Administrator.
- Refrain from providing information to the Town Administrator that you would not be willing to share with other committee or Board members.

D. Conduct in Relation to Town Staff

- Treat all Town staff as professionals and respect the abilities, experience, and dignity of each individual.
- Direct questions of Town staff and/or requests for additional background information through the Town Administrator.
- Never publicly criticize an individual employee or a department. Concerns about staff performance should only be made to the Town Administrator through private communication.
- Insure that all requests for staff support go through the Town Administrator's office.

IV. Distribution and Education

- The Town Administrator shall provide a copy of this policy to all members as defined in the Applicability section upon its issuance.
- The Town Clerk shall provide a copy of this policy to all members as defined in the Applicability section upon the subsequent appointment or re-appointment of any member when they are sworn in.
- The Town Clerk shall distribute educational materials from the Attorney General's Office on the Open Meeting Law to members of all committees and record signed receipts.
- The Town Clerk shall distribute State educational materials to all committee members and officials on the Conflict of Interest Law and record compliance with State mandated on-line training.
- Upon issuance of this policy, the Town Administrator shall have each member sign an acknowledgement form that they have read this policy and will comply with all requirements set forth in this policy; this form shall be available for public view. In the event that any member declines to sign the form, that fact shall be noted by the Town Administrator on the form.
- The Town Clerk upon the subsequent appointment or re-appointment of any member when they are sworn in shall have each member sign an acknowledgement form that they have read this policy and will comply with all requirements set forth in this policy. In the event that any member declines to sign the form, that fact shall be noted by the Town Clerk on the form. This form shall be sent to the Town Administrator and be available for public view.

V. Enforcement

A. Generally

In addition to any other remedies or enforcement options available under the law, the Board or other committees subject to this policy may vote to censure any member who violates any provision of this Code of Conduct or remove them from that committee in a case of a serious violation of law or Town policies.

The appointing authority may also decline to reappoint any member appointed by the appointing authority if the member fails to adhere to the provisions of this Code of Conduct.

B. Violations by Members of the Select Board

If any member of the Board is accused of violating the Town's Anti-Discrimination and Anti-Harassment Including Sexual Harassment Policy, the Town Administrator shall have the right and duty to refer the matter for investigation to a disinterested outside firm or individual qualified to investigate the alleged conduct.

The Town Administrator shall not be obliged to obtain an authorizing vote from the Board for such action; this Code of Conduct shall be sufficient authority. The firm or individual to whom the matter is referred shall promptly investigate the matter and report back findings of fact and recommendations to the Town Administrator. The Town Administrator shall share the reported findings and recommendations with the Board. The Board shall then take such action as is authorized by law and as it deems fit in response to the matter.

If any member of the Board is accused of violating any other provision of this Code of Conduct, the Board may take such action as is authorized by law and as it deems fit, or the Board may vote upon request of the Town Administrator or on its own to refer the matter to a disinterested outside firm or individual qualified to investigate the alleged conduct. This firm or individual shall promptly investigate the matter and report back findings of fact and recommendations to the Town Administrator. The Town Administrator shall share the reported findings and recommendations with the Board. The Board shall then take such action as is authorized by law and as it deems fit in response to the matter.

Any complaint against a Board member must be in writing to the Town Administrator. In all cases, the Town Administrator shall have the authority to choose the disinterested outside firm or individual qualified to investigate the alleged conduct.

These remedies shall be in addition to, and not in substitution for, any other remedies that may be available by law.

Date approved: 10/6/20