

Code of Conduct & Ethics of the Green Party of Prince Edward Island

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Purpose

The purpose of this Code of Conduct and Ethics is to define what is considered to be acceptable behaviour by members of the Green Party of PEI, to distinguish it from behaviour that is considered unacceptable, and to outline procedures for addressing issues that arise when a member is not in compliance with the Code. The Code states members' responsibilities, defines what is meant by conflict of interest and ethical norms, outlines the complaints procedure and the investigation process, and describes roles and responsibilities of the Ombuds and Appeals Committee and Provincial Council in matters pertaining to member conduct and ethics.

Definition of terms

Balance of probabilities is the test to be applied in the administration of this Code of Ethics and Conduct. It is the civil standard of proof. Saying something is proven on a balance of probabilities means that, in the opinion of the decision-maker, it is more probable than not to have occurred. In other words, the probability that the event happened is more than 50%.

Bullying is a form of harassment which is serious behaviour that targets an individual or group and that could be harmful to the person's mental and/or physical well-being.

Conflict of interest is a situation in which a person, such as a public official, an employee, or a professional, has a private or personal interest sufficient to appear to influence the objective exercise of his or her official duties. An apparent conflict of interest is one which a reasonable person would think that the person's judgment is likely to be compromised. A potential conflict of interest involves a situation that may develop into an actual conflict of interest.¹

Cyberbullying involves the use of communication technologies such as the Internet, social networking sites, websites, email, text messaging and instant messaging to repeatedly intimidate or harass others. Cyberbullying includes sending mean or threatening emails or text messages; posting embarrassing photos of someone online; creating a website to make fun of others; pretending to be someone by using their name; and tricking someone into revealing personal or embarrassing information and sending it to others.²

Direct and Indirect Aggression Whereas direct aggression confronts the individual face-to-face, delivering harm through direct verbal or physical means (e.g, cursing, hitting), **indirect** aggression involves delivering harm circuitously, through another person or object (e.g., spreading rumours about a person, destroying something that belongs to a person). Indirect aggression might be considered a cautious response in that it allows the aggressor to avoid identification. On the other hand, direct aggression may be especially attractive when the individual is willing to risk a direct confrontation.

Diversity refers to diversity of identities, which are expressed in multiple forms, including race and ethnicity, gender and gender identity, sexual orientation, socioeconomic status, language, culture, national origin, religious beliefs, identity, age, disability status, and political perspective. For the purposes of this policy, diversity refers to both protected characteristics under Canadian Human Rights laws and diversity in the lived experiences of members.

Ethical norms refers to the set of rules and principles used to govern decision making. For the purpose of this policy, **ethical behaviour** is used to describe the expectation to abide by the values of honesty, respect, commitment, lawfulness and responsibility.

Equity is an approach to ensure that all persons have access to the same opportunities, regardless of their identities. Equity refers to the process of consistently engaging to ensure that people with marginalized identities have the opportunity to grow, contribute, and develop.

Harassment is the improper conduct by an individual, that is directed at and offensive to another individual and that the individual knew or ought reasonably to have known would cause offence or harm. It comprises objectionable act(s), comment(s) or display(s) that demean, belittle, or cause personal humiliation or embarrassment, and any act of intimidation or threat. Harassment may also include unwelcome physical contact, such as touching, patting, or pinching. It also includes harassment within the meaning of the [Canadian Human Rights Act](#) (i.e. based on race, national or ethnic origin, colour, religion, age, sex, sexual orientation, marital status, family status, disability and pardoned conviction). Generally, harassment persists over time.

Inclusion is the deliberate effort to ensure that differences are welcomed, different perspectives are respectfully heard, and every individual feels a sense of belonging.

Mobbing is a kind of mass bullying, with collusion or active participation of the leadership. It is a group campaign of gossip, harassment and cruelty, conscious or unconscious, designed to undermine the confidence, impugn the confidence, and undercut the effectiveness of certain members. Some common mobbing actions include:

- ignoring people's work or falsely giving credit to others;
- discrediting their work and magnifying minor mistakes;
- taking away their responsibilities without warning or cause;
- leaving them out of important meetings to which they would otherwise be included;
- spreading lies and rumours about targets' personal or professional lives;
- voicing unfair or excessive criticism of another member(s);
- threatening or attempting physical violence;
- subtly ostracizing or excluding from the group and group activities.

Offensive Behaviour includes gossip, slander, bullying, harassment, mobbing, and other behaviours that cause harm to another person..

Reconciliation refers to addressing past wrongs, making amends, and improving relationships to create a better future for all.

Restorative justice is an approach to justice that focuses on repairing the harm caused to others while holding the offender responsible for their actions. In a restorative process, the focus is on providing those impacted the opportunity to address their needs and seek a resolution that affords healing and reparation, and prevents future harm.

Safe space is a place or environment in which a person or category of people can feel confident that they will not be exposed to discrimination, criticism, harassment, or any other emotional or physical harm.

Social Manipulation (also referred to as **Relational Manipulation**) is verbal aggression that disrupts relationships, employing more than one form of indirect aggression. It involves harming others by purposefully damaging a victim's peer relationships by excluding, marginalizing, gossiping, slandering, backstabbing and spreading rumours, so as to undermine and ostracise the victim from the peer group or workplace.

Code of Conduct and Ethics

1. Green Party of Prince Edward Island Code of Conduct and Ethics

1.1. Every member of the Green Party of Prince Edward Island must:

- Not intentionally engage in any action which would bring the Green Party of Prince Edward Island into disrepute;
- Not commit acts which could result in civil or criminal charges against the Green Party of Prince Edward Island;
- Not misrepresent the Green Party of Prince Edward Island's purpose, values, or policy;
- Not join, work for, publicly support, or endorse another provincial party;
- Not direct Green Party of Prince Edward Island resources toward another provincial party.

1.2. While engaged in Green Party of Prince Edward Island affairs or acting in any capacity associated with the Green Party of Prince Edward Island, every member must:

- Respect the dignity and autonomy of all persons;
- Resolve disagreements through reconciliation and restoration;
- Use language that is inclusive of all persons, avoiding language that is insulting, harassing, prejudicial, or otherwise abusive;
- Promptly disclose and take steps to remediate wrongdoing;
- Respect diversity and support inclusion of all persons;
- Refrain from discriminatory, demeaning, or harassing behaviour (including bullying, cyberbullying, direct and indirect aggression, harassment, mobbing, offensive behaviour, and/or social manipulation);
- Refrain from engaging in situations that could result in conflict of interest and abuse of power;
- Refrain from making false, frivolous, or vexatious complaints regarding others;
- Refrain from the misuse information that is obtained in his or her capacity as a member and that is not available to the general public to further or seek to further his or her private interest or improperly to further or seek to further another person's private interest;

- Refrain from using his or her position to seek to influence a decision to be made by another person so as to further the member's private interest or improperly to further another person's private interest.

2. Procedure on conflict of interest

A member who has reasonable grounds to believe that he or she has a conflict of interest in a matter that is before the Party shall, if present at a meeting considering the matter, disclose the general nature of the conflict of interest, withdraw from the meeting without voting or participating in consideration of the matter, and refrain at all times from attempting to influence the matter.

A member who has reasonable grounds to believe that another member has a conflict of interest may either:

- Bring the potential conflict of interest to the attention of the person(s) involved and seek clarity on the potential conflict of interest and/or a resolution;
- Bring forward a complaint to the Ombuds & Appeals Committee.

3. Complaints

- 3.1. Any member may bring forward a complaint to the Ombuds & Appeals Committee (ombuds@peigreens.ca) if they believe a member has violated any part of the Code of Conduct and Ethics.
- 3.2. The Ombuds and Appeals Committee will consider and address complaints as per the investigation process described in this policy and the relevant Bylaws.
- 3.3. The member who made the initial complaint will be notified when the investigation and response is complete, and of the outcome or conclusions of the investigation.

4. Conflict and Conduct Response

4.1. Interpersonal Conflict

In the case of interpersonal conflict between two or more members of the Party, members are expected to settle conflict themselves by bringing their complaint to the attention of those involved and taking steps to resolve the conflict. Members are encouraged to refer to Appendix A for resources for resolving interpersonal conflict.

If members are unable to resolve their conflict, a member may bring forward a complaint or concern to the Ombuds & Appeals Committee.

4.2. Code of Conduct and Ethics violations

The Code of Conduct & Ethics outlines standards of ethical behaviour and conduct that members are expected to maintain internally and when representing the Party. A violation of the Code means that a member has acted in a way that goes against the Code.

Potential Code of Conduct and Ethics violations are subject to an investigation and, if determined appropriate, possible sanctions and/or restorative processes.

4.3. Code of Conduct and Ethics violations resulting in civil or criminal action

Should a member violate the Code of Conduct and Ethics by committing an act that results in civil or criminal action against the Party, the Party will:

- 4.3.1. Cooperate fully with law enforcement conducting investigations, in order to ensure the laws of the land are upheld;
- 4.3.2. Immediately suspend membership rights until the matter is resolved;
- 4.3.3. At any point in the investigation process, the involved member(s) have the right to request the support of the Ombuds & Appeals Committee. The Ombuds & Appeals Committee remains a neutral party and may be involved to ensure those involved understand their rights and responsibilities throughout the process.

5. Investigation and remediation

5.1. Investigation process

- 5.1.1. The Ombuds & Appeals Committee will work to collect information which can take many forms including interviews, witness accounts, and physical evidence. The collection of evidence will be confidential, appropriate, timely, and seek to establish facts.
- 5.1.2. After the information is collected, the The Ombuds & Appeals Committee will determine whether or not the information supports the violation of the code as having occurred.
- 5.1.3. The Ombuds & Appeals Committee will prepare a recommendation letter for the involved parties and, if deemed necessary, Provincial Council. The recommendation letter will include all outcomes and/or sanctions being recommended and any required information regarding decision appeals and timelines. The letter shall be sent directly to the involved parties, unless the Ombuds & Appeals Committee believes it

is necessary to involve Provincial Council. If so, their recommendation letter will be forwarded to Provincial Council (provincial-council@peigreens.ca) to make a decision on the action to be taken. The Provincial Council will make a decision and communicate the decision with the involved member(s). The decision letter will be retained for the confidential records of the Party.

- 5.1.4. Based on the outcome, either the parties involved or the Ombuds & Appeals Committee may request a meeting to review the outcome of the investigation and measures taken.
- 5.1.5. At any point in the investigation process, the involved member(s) have the right to request the support of the Ombudsperson. The Ombudsperson remains a neutral party and may be involved to ensure those involved understand their rights and responsibilities throughout the process.
- 5.1.6. During an investigation, the Ombuds & Appeals Committee may recommend the Provincial Council to take interim administrative measures if deemed necessary. These measures may be taken if the potential code violation or investigation poses risk to the Party. Such measures may include:
 - Temporary membership suspension or
 - Temporary suspension from Party volunteer roles, committees, or Provincial Council roles.

5.2. Decisions

- 5.2.1. The Ombuds & Appeals Committee will make a recommendation based on the balance of probabilities and will recommend necessary outcomes. Some complainants may not wish to make their complaints known to Councillors. The wishes of the complainant should be taken into account. If the complainant is indifferent as to whether or not Council is made aware of the complaint, then the Ombuds, under their mandate, can decide to forward the report and recommendations directly to the involved parties without involving Council. If deemed necessary to involve Provincial Council, then Council will have final decision-making authority over the decision and assigned outcomes. Decisions may include:
 - 5.2.1.1. *No code violation*: In the situation that the evidence does not provide sufficient proof that a code violation has occurred, the decision will be written as such, the incident will be considered closed, and any interim measures implemented will be reversed.
 - 5.2.1.2. *Code violations requiring a restorative process*: In some situations, a code violation may be resolved using restorative processes. Restorative justice is an approach to justice that focuses on repairing the harm caused to others while holding the offender responsible for their actions. In a restorative

process, the focus is on providing those impacted the opportunity to address their needs and seek a resolution that affords healing and reparation, and prevents future harm.

When restorative justice is deemed appropriate, the Ombuds & Appeals Committee will facilitate the process and ensure community needs are met.

Following a restorative process, those involved will draft a new decision letter, outlining the commitments being made. This new decision letter will be forwarded to the Secretary-Treasurer for the confidential records of the Party.

- 5.2.1.3. *Code violations requiring sanction(s)*: The Conduct and Ethics Officer will recommend necessary and appropriate sanctions, based on the outcome of the investigation. The sanctions assigned by Provincial Council will be determined based on the severity of the code violation and the duration of sanction (in the event of suspended or declined membership rights) will be stated in the decision letter. Examples of sanctions include (see Appendix D for more information):
- Removal from leadership (Provincial Council, committee, volunteer, etc.) roles
 - Suspension of membership (for a period of time)
 - Revoking of membership
 - i. Registry - The record of suspended and revoked memberships is to be held in the confidential files of the Membership and Volunteer Chair.
 - ii. Reapplication - After a membership has been revoked, the individual whose membership has been revoked may have a new membership application approved on the discretion on Provincial Council, only if they are able to provide satisfactory evidence that the actions or behaviours leading to the initial revocation have been thoroughly redressed and are not likely to recur.

5.3. Appeals

- 5.3.1. Following a decision including the imposition of sanctions by Provincial Council with respect of a Code-based complaint, the involved member(s) have 14 days to file an appeal with the Ombuds & Appeals Committee.
- 5.3.2. Appeals may be considered on one or more of the following grounds:
- 5.3.2.1. There is new evidence that is likely to change the outcome;

- 5.3.2.2. There is evidence of procedural error or bias in the process; or
- 5.3.2.3. The sanction imposed is not consistent with the nature of the offense.
- 5.3.3. If an appeal is granted, it will be considered by the Ombuds and Appeals Committee within 30 days.
- 5.3.4. The resulting decision of an appeal is final.
- 5.3.5. Appeals shall be subject to any relevant party bylaws.

¹ modified from The W. Maurice Young Centre for Applied Ethics, UBC

² modified from the Royal Canadian Mounted Police Centre for Youth Crime Prevention

³ modified from The Canadian Human Rights Commission

⁴ modified from the Prince Edward Island Conflict of Interest Act

Appendix A: Resources for resolving interpersonal conflict

When supporting Green Party of Prince Edward Island members and resolving interpersonal conflict, there are a number of resources available to help them navigate their conflict.

- [12 Skills Summary from the Conflict Resolution Network](#)
- [Fighting Fair Poster from the Conflict Resolution Network](#)
- [Handling Anger in the Mediation Process from the Conflict Resolution Network](#)
- [Managing Conflict: A Guide for Volunteer Boards](#)