

Community Code of Conduct



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Human Resources	April 16, 2019	#91-2019	1	6
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			HR-2-26	

A. Policy Statement

The City of Kenora recognizes that the majority of residents in Kenora use City services, programs, facilities, and properties, and believes that all deserve an environment free of harassment and violence. The City expects respectful and considerate relationships between employees and members of the public and is committed to ensuring the safety of all employees, customers, spectators, and volunteers in accordance with the Occupiers Liability Act, the Ontario Human Rights Code, the Occupational Health & Safety Act, the Trespass to Property Act, the Criminal Code, municipal bylaws and policies, and other provincial legislation.

B. Purpose

The purpose of this policy is to clearly define a Community Code of Conduct and outline strategies for employees when dealing with inappropriate behaviour from customers or other outside parties including contractors, consultants, or members of the public (herein after referred to as customers). Any acts of inappropriate behaviour towards employees will be addressed as per the consequences outlined in this policy.

This policy will work in conjunction with the City's Workplace Violence Prevention and Workplace Harassment policies.

C. Scope

This policy applies to all City of Kenora owned facilities and properties, including but not limited to City Hall, Operations Building, Kenora Recreation Centre, sports fields and parks, Kenora Museum, Kenora and Keewatin Library, Kenora Water and Waste Water Treatment Plants, the Discovery Centre, and any other location where City employees are performing work.

This policy applies to all forms of communication with customers including in-person, telephone, voicemail, and email.

This policy also applies to all City of Kenora employees in a working capacity outside of City facilities such as Bylaw Officers, Parks employees, and Operations employees.

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D. Definitions

"City" means the Corporation of the City of Kenora

"City Property" refers to all City-owned assets including real property, buildings, structures, facilities, and equipment

"Customer" means a member of the public, resident, patron, guest, visitor, contractor, third party or any individual contacting any City department requesting service or information from the City

"Council" means the Council for the Corporation of the City of Kenora

"Employee" includes all full-time, part-time, seasonal, student, casual, temporary and contract workers, volunteers, and City Council members

"Inappropriate behaviour" includes but is not limited to violent behaviour (or threats of violent behaviour); harassment; abusive or disrespectful language; attempts to incite anger or violence in others; vandalism or damage to City property; bullying; aggressive or intimidating approaches; possession or mention of weapons; throwing of objects in a deliberate or aggressive manner; participating in any illegal act on City property; and any contraventions to City policies, bylaws, and/or regulations.

"Trespass Notice" is authorized under the Trespass to Property Act, R.S.O. 1990, as a written notice prohibiting an individual from entering specific City properties or facilities for a specific duration and is issued to an individual by the City.

"Workplace Harassment" is defined under the Occupational Health and Safety Act, R.S.O. 1990 as engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome

"Workplace Violence" is defined under the Occupational Health and Safety Act, R.S.O. 1990 as the exercise or physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker; an attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker; or a statement or behaviour that is reasonable for the worker to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker.

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D. Roles & Responsibilities

Senior Leadership Team Members and Supervisors are responsible for understanding and upholding this policy; responding to and documenting incidents of inappropriate behaviour; determining consequences of inappropriate behaviour as per this policy; and regularly communicating and reviewing this policy with employees.

Employees are responsible for acting in a manner that respects the dignity, rights and confidentiality of others; communicating to customers when conduct falls below acceptable standards; seeking the assistance from Supervisors when an issue arises; reporting and documenting all incidents of inappropriate behaviour; and working in compliance with this policy and any other applicable policies and procedures.

Customers are responsible for conducting themselves in a manner that is consistent with this policy.

E. Procedure

Employees are not expected to put themselves at risk or jeopardize their safety when dealing with any situation or customer. In the event of a real or perceived threat of physical harm or violence, employees should immediately contact the Ontario Provincial Police (OPP) by calling 9-1-1 or activating the panic buttons (if applicable), and report the incident to their Supervisor or a Senior Leadership Team Member as soon as possible.

If the nature of an issue is known in advance to be contentious such as a meeting or event, employees are to alert their Supervisor. Depending on the nature of the issue, Supervisors may request the attendance of police.

Report any acts of inappropriate behaviour, whether in person or through other channels, to your immediate Supervisor and complete Incident Form HS-007.

1. Inappropriate Behaviour in Person

- When behaviour first begins, employees will attempt to use de-escalation techniques outlined in Appendix A to resolve the situation.
 - If the employee is not comfortable using the techniques, defer to a Supervisor if available
- If de-escalation techniques are unsuccessful and the inappropriate behaviour continues, employees will advise the customer(s) to stop the behaviour immediately or they will be asked to leave. Employees should then end the conversation and ask someone to notify a Supervisor

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- For employees who work outside of a facility, they are asked to disengage with the customer(s) and leave the scene, then notify their Supervisor and complete an incident form
- If the customer(s) does not co-operate, employees will ask them to leave the premises, and inform them that they are now trespassing and that police will be called
- If the customer(s) refuse to leave, do not engage in an argument or physical confrontation. Call for police and wait for their arrival, while ensuring that you and any others in jeopardy are moved to a safe location if required
- Complete an incident form with your supervisor when the incident is over

2. Inappropriate Written or Verbal Communication

- When behaviour first begins, employees will attempt to use de-escalation techniques outlined in Appendix A to resolve the situation
 - If the employee is not comfortable using the techniques, defer to a Supervisor if available
- If de-escalation techniques are unsuccessful and inappropriate behaviour continues, employees will advise the customer(s) that if they do not co-operate, the communication will be ended
- If the customer(s) does not co-operate, employees will inform them that the communication is being terminated. Employees will then not respond to any further attempts made by the customer(s) to contact them
- Inappropriate emails, phone calls, or voicemails should be reported to Supervisors immediately and should be documented using Incident Form HS-007

If a customer or member of the public brings an incident to your attention to which you were not a witness, document the information on Incident Form HS-007. Then notify your Supervisor of the incident so they may follow up accordingly.

Employee reports of discrimination, workplace harassment, or workplace violence incidents involving customers will be handled according to the provisions in those specific policies and the Occupational Health and Safety Act.

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F. Consequences of Non-Compliance

Customers who engage in any inappropriate behaviour, as defined in this procedure, may, depending on the severity and frequency of the act(s), be subject to the consequences outlined below:

Level 1 Offence – minor acts or first offences
Consequences include but are not limited to:

- Verbal warning by employee or Supervisor
- Customer may be asked to leave the premises
- A written warning may be issued at the discretion of a Senior Leadership Team Member
- A ban from City facilities, properties, events, programs, and/or denial of non-essential services for a period of time through a Trespass Notice.

Level 2 Offence – serious offences and/or repeated offences
Consequences are at the discretion of the Senior Leadership Team Member and may result in but are not limited to:

- A written warning
- Invoice for full cost of repairs will be issued where property damage has incurred
- A ban from City facilities, properties, events, programs, and/or denial of non-essential services for a period of time through a Trespass Notice
- And/or any other actions as may be deemed appropriate (e.g., notify the authorities)

Level 3 Offences – serious offences and/or repeated offences
Consequences are at the discretion of the Senior Leadership Team Member and may result in but are not limited to:

- Invoice for full cost of repairs will be issued where property damage has incurred
- A ban from City facilities, properties, events, programs, and/or denial of non-essential services for an extended period of time through a Trespass Notice
- And/or other actions as may be deemed appropriate (e.g., notify the authorities)

Upon completion of incident forms with employees, Supervisors will consult with their respective Senior Leadership Team Members regarding the level of offence and the degree of discipline.

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G. Appeal Process

If a customer wishes to appeal any action taken by the City, the customer may present their case in writing to the Chief Administrative Officer within 14 days of the decision.

The appeal will be reviewed by the CAO and any decision made is final.

H. Communication between Departments

In the event a customer or group of customers is banned from City facilities, denied of non-essential services, or denied communication with City employees, a memorandum will be circulated to all Supervisors and Senior Leadership Team Members who can then relay the information to the applicable staff.

Supervisors and Senior Leadership Team Members have a duty to provide information to employees about a risk of workplace violence from a customer with a history of violent behaviour, if an employee is expected to encounter the customer during the course of their work. Supervisors and Senior Leadership Team Members will only release as much personal information about the customer as is reasonably necessary to protect the employee from physical injury.

Signature

Date

Employee Name (printed)

I have read and understand the policy and will adhere to the policy as outlined.

APPENDIX A

RECOGNIZING AGGRESSION

It's important for employees to be able to recognize signs of aggression. Below is a list of physical and behavioural changes that can indicate if a person is becoming escalated:

PHYSICAL

Flushed or pale face
Sweating or perspiring
Clenched jaw or teeth
Shaking or trembling
Clenched fists
Rapid breathing
Fidgeting
Glaring eyes
Rise in pitch of voice/change of tone

BEHAVIOURAL

Loud voice or yelling/shouting
Pointing or jabbing fingers
Swearing or verbal abuse
Standing too close
Aggressive posture
Throwing, hitting or kicking things
Pacing and restlessness
Violent gestures

DE-ESCALATION TECHNIQUES

If employees start to notice any of the above behaviour when interacting with a customer, apply these de-escalation techniques:

- **Maintain Composure**
Take a deep breath;
Never argue with customers when they are angry, displeased, or complaining. If you become upset, it will only escalate the situation further
Use a lower tone of voice, and don't get defensive if insults or anger are directed at you
Remind the customer that you are there to help
- **Become aware of your surroundings, if applicable**
Notice if there are others in the room, objects such as chairs, tables or items on a table;
Take note of exits and openings and whether you are blocking the customer
- **Listen**
Let the customer vent and avoid talking over them; maintain eye contact if applicable and be aware of your body language;
Repeat or paraphrase what is heard to show you understand the situation;
If unclear, ask open ended questions to get more clarification; also ask to take notes
- **Show Interest & Empathy**
Maintain a concerned, sincere and interested facial expression and/or tone of voice;
Show or express understanding without passing judgment, even if you do not agree with their position
- **Acknowledge**
Acknowledging someone's feelings helps by validating their emotions; this confirms the legitimacy of the emotion but not the behaviour
Example: "I can see how that could have been frustrating"

- **Agree**
Find some truth to what is being said and agree with it; when you agree with some truth, you take away some resistance
Example: "I agree Mr. Jones that would be difficult to deal with"
- **Apologize**
A sincere apology can build credibility and lets the customer know that you are empathetic to what they are going through
Example: If there is a legitimate cause for anger - "I'm sorry we forgot to send your bill"
Example: If there isn't anything to apologize for directly - "I'm sorry this situation has you so frustrated"
- **Try to solve the problem**
Ask the customer for their ideas on how they would like the situation resolved;
If you are not able to help them, seek the assistance of someone who can
- **Clarify next steps**
Summarize the next steps and let the customer know what to expect and when
Do not make promises you cannot keep; if you say you will call back – make sure you call back even if you do not have an update

If these de-escalation techniques do not work, be prepared to either ask the customer to leave the premises if in-person, or advise them that the communication will be terminated if over the phone or by email.