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Federation of Canadian Municipalities

Code of Ethical Conduct

for FCM Directors, Officers and Committee Members

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FCM Code of Ethical Conduct

1. PURPOSE AND APPLICATION

- 1.1 The Federation of Canadian Municipalities (FCM) wishes to uphold FCM’s values and practices of ethical conduct in all its corporate affairs and activities. The purpose of this FCM Code of Ethical Conduct is to foster a climate of honesty, truthfulness and integrity and define the standards of ethical conduct that apply to all persons who are subject to it.
- 1.2 This Code is intended to focus FCM Officials (as defined below) on areas of ethical risk, provide guidance to help them recognize and deal with ethical issues, provide mechanisms to report unethical conduct, and deter wrongdoing. No code can replace the thoughtful behaviour of any person or anticipate every situation that may arise. Accordingly, this Code is intended to serve as a source of guiding principles and not absolute directives.
- 1.3 The FCM Code of Ethical Conduct applies to FCM Directors, Officers and Committee Members (“**FCM Officials**”). Notwithstanding the foregoing, any FCM Official who is also an employee of FCM shall be subject to the FCM code of conduct for employees and any applicable complaint made against such an employee shall be dealt with in accordance with the FCM code of conduct for employees rather than this Code.
- 1.4 The FCM Code of Ethical Conduct does not apply to the conduct of a FCM Official in their personal life, except to the extent that such conduct reasonably undermines, or has the potential to reasonably undermine, public confidence in the governance of the FCM.

2. DEFINITIONS

In this Code, unless the context otherwise requires:

- 2.1 “**Act**” means the *Canada Not-for-profit Corporations Act* S.C. 2009, c.23 including the regulations made pursuant to the Act, and any statute or regulations that may be substituted therefor, as amended from time to time.
- 2.2 “**Articles**” means the original or restated articles of incorporation or articles of amendment, amalgamation, continuance, reorganization, arrangement, or revival of the Corporation.
- 2.3 “**Board**” means the board of directors of FCM.
- 2.4 “**By-laws**” means By-law No. 1 of FCM, which relates generally to the conduct and management of the activities and affairs of FCM, as amended and which is, from time to time, in force and effect.
- 2.5 “**CEO**” means FCM’s Chief Executive Officer.
- 2.6 “**Code**” means this FCM Code of Ethical Conduct, as amended and which is, from time to time, in force and effect.

- 2.7 “**Committee Member**” means a Director or a Non-Board Member serving on any FCM committee, caucus or forum.
- 2.8 “**Complainant**” means a person who has submitted a complaint in accordance with this Code.
- 2.9 “**Complaint**” means a formal allegation that a FCM Official has breached this Code, which has been submitted to FCM in accordance with the procedure set out in section 8 of this Code.
- 2.10 “**Complaint Officer**” means an independent/external person appointed by the Executive Committee to fulfill the duties and responsibilities of that role as set out in this Code.
- 2.11 “**Confidential Information**” means information that is confidential in accordance with section 5.1 of this Code.
- 2.12 “**Director**” means a member of the Board.
- 2.13 “**Elected Municipal Official**” as the meaning ascribed to that term in the By-laws.
- 2.14 “**Executive Committee**” means the executive committee of the Board established pursuant to the By-laws.
- 2.15 “**FCM**” means the Federation of Canadian Municipalities.
- 2.16 “**FCM Officials**” has the meaning ascribed to that term in section 1.3.
- 2.17 “**Gift or Personal Benefit**” means an item or service of value that is received by a FCM Official or their family for their personal use including money, gift cards, tickets to events, clothing, jewelry, pens, food or beverages, discount/rebates on personal purchases, entertainment, participation in sport and recreation activities, and invitations to social functions.
- 2.18 “**Non-Board Member**” means an Elected Municipal Official who is not a Director.
- 2.19 “**Officers**” means an officer of FCM, as set out in the By-laws.
- 2.20 “**Respondent**” means a FCM Official whose conduct is the subject of a Complaint.

3. STATUTORY DUTIES OF FCM OFFICIALS

- 3.1 Every FCM Official who is a Director or Officer, in exercising their powers and in discharging their duties, shall:
- (a) act honestly and in good faith with a view to the best interests of FCM; and
 - (b) exercise the care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances.

- 3.2 Every FCM Official shall comply with:
- (a) the Act and the regulations enacted under the Act; and
 - (b) the Articles, By-laws, policies, resolutions, and guidelines of FCM, including this Code.
- 3.3 FCM Officials are required to read and comply with the documents described in section 3.2.

4. PRINCIPLES OF ETHICAL CONDUCT

The following principles of ethical conduct are not exhaustive. They cover minimum standards and common business situations in which ethical or legal concerns arise. FCM Officials shall comply with these principles of ethical conduct and the spirit of professional integrity that underlies them.

- 4.1 **Protection of FCM's Reputation.** FCM's reputation depends upon FCM Officials' shared commitment to FCM's principles of ethical conduct. When performing their duties as FCM Officials, FCM Officials shall conduct themselves in ways that enhance FCM's reputation with stakeholders and the public at large and protect FCM from image or reputational damage. Where an Elected Municipal Official, who is also a FCM Official, is found by that official's municipality to have committed an act of misconduct or breached the municipality's code of conduct, such finding may be considered to expose FCM to image or reputational damage.

4.2 **Act Without Political Partisanship.**

Officers, Directors or Committee Members must avoid any political partisanship while making a decision on issues referred to the Board or speaking on behalf of FCM.

All Officers, Directors or Committee Members who intend to stand as candidates for an elected public office in federal, provincial or territorial order of government must take a leave of absence commencing once they formally declare that they are seeking the nomination, by either filing for nomination or publicly announcing their intention to seek the nomination, and ending the latter of nomination day or election day; and resign if elected.

Notwithstanding the above, the President of the Board and the officers of the Board who want to stand as candidate for an elected public office at the federal level must resign their position once they formally declare that they are seeking the nomination, by either filing for nomination or publicly announcing their intention to seek the nomination.

- 4.3 **No Discrimination or Harassment.** FCM Officials have a responsibility to promote a safe and positive environment and shall act in a manner that is free of violence, discrimination and harassment in accordance with the FCM Harassment Policy.

- 4.4 **Equity, Diversity and Inclusion.** FCM is committed to grounding FCM’s culture, systems, policies and practices in an intersectional, anti-racism and equity lens to challenge issues of race and correct inequities to reflect and improve the lives of communities across Canada. Workplace diversity provides different perspectives and supports opportunity, change and innovation. FCM values individual differences and diversity and promotes, at a minimum, the standards and protection of federal employment equity legislation. FCM Officials shall comply with these principles and those set out in the FCM Anti-Racism and Equity Commitment Statement and deal fairly and ethically with diversity issues and treat people with respect and dignity.
- 4.5 **Respectful Communications.** Without limiting the ability of a FCM Official to hold a position on an issue and respectfully express their opinions, a FCM Official shall:
- (a) make best efforts to ensure that all communications are accurate and not issue any communication that the FCM Official knows, or ought to have known, to be false;
 - (b) communicate courteously and respectfully with members of the public, other FCM Officials, and FCM employees (including while participating in meetings where FCM business is conducted including receptions, dinners, hospitality or other social events);
 - (c) ensure that all communications issued publicly by, or on behalf of, the FCM Official, including social media, are dignified, respectful and do not discriminate, harass, defame or demonstrate disrespect toward any person;
 - (d) not issue any communications that knowingly mislead FCM or the public about any matter; and
 - (e) respect the authority of the CEO, President, or their delegate.
- 4.6 **Substance Use.** FCM Officials shall not be impaired by the consumption of alcohol or drugs while conducting FCM business. FCM Officials may consume alcohol at authorized FCM functions or social events, or related events. At all such times however, FCM Officials are expected to act responsibly when consuming alcohol, and never to drink and drive. In this section “impaired” means being mentally or physically unable to perform assigned work functions safely or productively. FCM Officials shall comply with any substance use policies that may be established by FCM.

5. **CONFIDENTIALITY**

- 5.1 In this Policy, “**Confidential Information**” includes all non-public information regarding the activities of FCM, including any Complaints of investigations conducted in accordance with this Code. If in doubt about whether information is confidential, a FCM Official should assume all information acquired during the activities and duties as a FCM Official is confidential unless otherwise determined. FCM Officials shall not make any unauthorized disclosure of Confidential Information or use it for any purpose other than the purpose for which it was disclosed to them, except as otherwise required by law. No FCM Official shall take any advantage or take action that may be perceived to have taken

any advantage of any Confidential Information that may exist within FCM, or of which a FCM Official may become aware as a result of their involvement in FCM.

5.2 A FCM Official shall:

- (a) not disclose or release any Confidential Information acquired by virtue of their office, except as authorized on behalf of FCM, or required by law;
- (b) not use Confidential Information with the intention to cause harm or detriment to FCM, other FCM Officials or staff, or any other person or body;
- (c) protect Confidential Information from unauthorized and inadvertent disclosure;
- (d) use Confidential Information only for the purpose for which it is intended to be used;
- (e) take reasonable care to prevent the examination of Confidential Information by unauthorized individuals; and
- (f) not take advantage of, or obtain private benefit from, Confidential Information acquired by virtue of their office.

5.3 A FCM Official's duty of confidentiality under this Code continues even after they cease to be a FCM Official.

6. CONFLICT OF INTERESTS

6.1 **Duty to Act in Best Interest of FCM.** FCM Officials shall avoid situations where their personal interests will conflict with their duties to FCM. FCM Officials shall also avoid situations where their duties to FCM may conflict with duties owed elsewhere.

6.2 **Compliance with Conflict of Interest Policy.** Where conflicts of interest arise, FCM Officials will comply with the requirements of the Act, the By-laws, and the Conflict of Interest Policy set out in Schedule "A" of this Code.

7. GIFTS AND OTHER BENEFITS

7.1 A FCM Official shall not accept a Gift or Personal Benefit that is connected directly or indirectly with the performance of their duties as an FCM Official unless permitted by the exceptions listed in section 7.2.

7.2 A FCM Official may accept a Gift or Personal Benefit if it is:

- (a) received as an incident of the protocol of social obligations that normally accompany the responsibilities of office such as, for example, an honorarium received as part of a speaking engagement.
- (b) compensation authorized by law; or

- (c) provided by FCM.
- 7.3 If a FCM Official accepts a Gift or Personal Benefit pursuant to section 7.2(a), and if the total value of the Gift or Personal Benefit exceeds \$50, or the total value of the Gift or Personal Benefit received from one source during the calendar year exceeds \$100, the FCM Official shall within 30 days of receipt of the Gift or Personal Benefit, or reaching the annual limit, file a disclosure statement with the Chief Executive Officer. The disclosure statement shall set out:
- (a) the name of the FCM Official;
 - (b) the nature of the Gift or Personal Benefit, by description, photograph, or both;
 - (c) the date the Gift or Personal Benefit was received;
 - (d) the estimated value of the Gift or Personal Benefit;
 - (e) the source of the Gift or Personal Benefit, including, if it is from a corporation, the full names and addresses of at least 2 individuals who are directors or officers of the corporation;
 - (f) the circumstances under which the Gift or Personal Benefit was given; and
 - (g) the final disposition of the Gift or Personal Benefit.
- 7.4 If a FCM Official is unable, or elects not, to accept a Gift or Personal Benefit, a FCM Official shall as soon as practicable, either:
- (a) return the Gift or Personal Benefit to the donor along with an explanation as to why the Gift or Personal Benefit cannot, or will not, be accepted; or
 - (b) turn the Gift or Personal Benefit over to the Chief Executive Officer for disposition.
- 7.5 A Gift or Personal Benefit turned over to the Chief Executive Officer is deemed property of FCM. At the Chief Executive Officer's discretion, a Gift or Personal Benefit may be disposed of as follows:
- (a) returned to the donor;
 - (b) displayed in individual offices, general offices, or in the public areas of FCM; or
 - (c) disposed of by donation, sale or auction, with any proceeds credited to FCM's general revenues or to the direct or indirect support of a charitable organization.
- 7.6 A Gift or Personal Benefit provided to a FCM Official's spouse, child or parent, that to the FCM Official's knowledge, is connected directly or indirectly to the performance of the FCM Official's duties is deemed to be a Gift or Personal Benefit to that FCM Official.

8. COMPLAINT AND RESOLUTION PROCEDURES

- 8.1 If a person believes that they have been subject to conduct by an FCM Official in breach of this Code, that person may avail themselves of the procedures set out in Schedule “B” of this Code.

9. INDEMNIFICATION

- 9.1 Subject to applicable requirements of the By-laws, a FCM Official may be entitled to be indemnified in respect of costs, charges and expenses reasonably incurred by them in connection with a Complaint made against them.

10. REPEAL OF PREVIOUS CODE

- 10.1 All previous codes related to the subject matter of this Code, including the FCM Code of Ethical Conduct – Statement for Officers, Directors and Committee Members revised in November 2018 (the “**Previous Code**”) are repealed as of the date specified below. Such repeal shall not affect the validity of any act done or right or privilege, obligation or liability acquired or incurred under such Previous Code prior to its repeal.

11. AMENDMENT

- 11.1 This Code may be amended by the Board.

Approval Date:

Last Review Date:

November 24, 2023

Schedule “A”
Conflict of Interests Policy

[Note: A new draft Conflict of Interest Policy has been prepared as a separate document that can be inserted here as Schedule “A” once drafting is further along.]

Schedule “B”
Complaint and Resolution Procedures

Complaint Submission Process

1. If any person believes that a FCM Official has breached the FCM Code of Ethical Conduct, that person may:
 - a. make a Complaint to the CEO in the form described in section 8 of this Schedule; or
 - b. may approach the CEO on a confidential basis, without the need to file a Complaint, to request that the FCM Official be informed of the alleged breach (a “**Confidential Request**”).
2. If a person’s Complaint or Confidential Request includes an allegation of violence, discrimination or harassment, the CEO shall consult with the FCM Director, Human Resources and/or the Chair of the Board Human Resources Committee, to determine whether the alleged conduct falls within the scope of the FCM Harassment Policy and, in the event that it does, the matter shall be dealt with in accordance with the rules and procedures set out in the FCM Harassment Policy.
3. Unless section 2 applies, upon receipt of a Complaint under section 1.a or a Confidential Request under section 1.b, the CEO shall immediately inform the Executive Committee of the Complaint or Confidential Request, through the President, or if the Complaint or Confidential Request involves the President, the First Vice-President. Within seven days of being informed of a Complaint or Confidential Request by the CEO, the Executive Committee shall appoint the Complaint Officer, who shall be responsible for managing the matter in accordance with the Code and this Schedule “B”.
4. The CEO shall reject a Complaint or Confidential Request received more than 180 days after the person making such Complaint or Confidential Request knew or reasonably ought to have known of the alleged breach of this Code, unless: (a) the Complaint concerns a FCM Official who has been charged with a criminal offence, or (b) the Complainant alleges (explicitly or impliedly) that a FCM Official has or may have committed a crime.
5. Once the Complaint Officer has been engaged to manage a Complaint or Confidential Request, the CEO and Executive Lead, Governance shall be entitled to receive regular updates regarding the conduct of any investigation or proceedings taken because of such Complaint or Confidential Request.

Confidential Requests

6. Upon receipt of a Confidential Request, the Complaint Officer shall inform the FCM Official of the alleged breach of the Code and may attempt to address the conduct with the FCM Official.

7. The Complaint Officer shall protect the confidentiality of a person making a Confidential Request, unless the person making the request consents to disclosure. In cases where it is not possible for the Complaint Officer to address the conduct that is the subject of a Confidential Request without disclosing Confidential Information about the person making the Confidential Request and the person does not consent to such disclosure, the Complaint Officer shall inform that person that confidentiality is not possible in that case.

Complaint Procedure

8. A Complaint shall be in writing and describe with sufficient detail:
 - a. the name of the Complainant;
 - b. the name of the Respondent;
 - c. the conduct that the Complainant alleges to have breached this Code;
 - d. the date of the alleged conduct;
 - e. the part or parts of this Code that the Complainant alleges has or have been breached; and
 - f. the basis for the Complainant's knowledge about the conduct.
9. A Complainant may specify in the Complaint if they are willing to participate in an informal resolution of the Complaint.
10. FCM may prescribe a form for submitting a Complaint.
11. Provided that a Complaint has been submitted, the Complaint Officer may accept a Complaint, notwithstanding that the form of the Complaint does not comply with all of the requirements set out in section 8 if, in the Complaint Officer's opinion, the circumstances so warrant.
12. The Complaint Officer shall not accept multiple Complaints concerning the same incident or conduct. In the event that the Complaint Officer receives multiple Complaints concerning the same incident or conduct, the Complaint Officer shall proceed with the first Complaint accepted, but may expand the Complaint and/or add Complainants for the purpose of conducting the investigation and preparing the investigation report.

Preliminary Assessment

13. On receipt of a Complaint, the Complaint Officer shall conduct a preliminary assessment and if at that time, or any time thereafter, the Complaint Officer is of the opinion that:
 - a. the subject matter of the Complaint is not with respect to a breach of this Code;
 - b. the Complaint is frivolous, vexatious, or not made in good faith;

- c. the investigation is, or might be, hampered, or the FCM Official might be prejudiced by the Complainant's failure to provide a Complaint in compliance with section 8, or otherwise cooperate with the investigation;
- d. the Complainant wishes to withdraw the Complaint, and it would be appropriate in the circumstances to allow the withdrawal; or
- e. there are no grounds or insufficient grounds for concluding that a breach of this Code has occurred,

the Complaint Officer shall notify the Complainant and the Respondent in writing that the Complaint Officer is closing the Complaint, set out the reasons therefore, and close the Complaint.

14. Notwithstanding section 13, the Complaint Officer may, after conducting a preliminary assessment:
- f. request further information from the Complainant before determining whether or not there are sufficient grounds for believing that a breach of this Code may have occurred; or
 - g. inform the Executive Committee (except any member of that committee who is the subject of the Complaint) of the Complaint and seek its guidance with respect to any decision to proceed with a formal investigation or an informal resolution process under this Code.

Informal Resolution

15. When the Complaint Officer has decided to proceed with a Complaint, the Complaint Officer shall determine whether the Complaint requires a formal investigation, or whether the Complaint may be resolved informally. In the latter case, the Complaint Officer may, at their discretion, either attempt to resolve the Complaint directly, or refer the Complaint to another Officer who is not the subject of the Complaint.
16. When determining whether the Complaint may be resolved informally, the Complaint Officer may consider culturally appropriate, or transformative or restorative justice approaches, and may engage a third party to assist the Complaint Officer for this purpose.
17. The Complainant, or the Respondent, can decline to participate in an informal resolution at any time.
18. If a Complaint is resolved informally, the person assisting in resolving the Complaint shall notify the Complaint Officer in writing of the terms of the resolution, upon receipt of which, the Complaint Officer shall close the Complaint.
19. If a Complaint cannot be resolved informally with the assistance of a third party, the person assisting in resolving the Complaint shall refer the Complaint back to the Complaint Officer for a formal investigation.

Formal Resolution

20. If a Complaint is not rejected, closed, or resolved informally, the Complaint Officer shall proceed with a formal investigation.
21. The Complaint Officer shall send notice of the Complaint to the Respondent with a request that the Respondent provide a written response to the Complaint together with any submissions the Respondent chooses to make within 10 days, subject to the Complaint Officer's discretion to extend the timeline.
22. The Complaint Officer may provide the Complainant with the Respondent's written response together with any submissions, on a strictly confidential basis, and request a reply in writing within 10 days, subject to the Complaint Officer's discretion to extend the timeline.
23. Employees of FCM and FCM Officials shall cooperate in any formal investigation conducted in accordance with this Code as reasonably requested by the Complaint Officer or FCM, including without limitation being available to the Complaint Officer or FCM upon reasonable notice for interviews, and submit all relevant information and documents which are or may come into their possession, provided such documents are not privileged or confidential.
24. The Complaint Officer shall ensure that the formal investigation complies with the rules of procedural fairness and natural justice required in the circumstances.

Adjudication and Reporting

25. The Complaint Officer shall conclude their investigation within 90 days of having decided to proceed with a formal investigation, or if the Complaint Officer determines that doing so is not practicable, the Complaint Officer shall notify the Complainant and Respondent of the delay and provide a revised conclusion date. The revised conclusion date may be extended by periods of up to 30 days on provision of written notice to the Complainant and the Respondent.
26. A notification issued pursuant to sections 13 or 24 is confidential and shall not be disclosed except, that the Respondent may disclose the fact that the Complaint has been closed, or that a finding has been made that the Respondent did not breach this Code.
27. If after reviewing all material information, the Complaint Officer determines that the Respondent did not breach this Code, then:
 - a. the Complaint Officer shall prepare a written investigation report providing reasons for their determination that the FCM Official did not breach the Code; and
 - b. the Complaint Officer shall deliver a copy of the investigation report to the Respondent and the Executive Committee.

28. If after reviewing all material information the Complaint Officer concludes that the Respondent may have breached this Code then:
- a. the Complaint Officer shall prepare a written investigation report setting out their recommendation that the Executive Committee determine that the Respondent did breach this Code, and setting out the basis for this recommendation;
 - b. the investigation report will make recommendations as to the appropriate sanction in the event that the Executive Committee determines that the Respondent did breach this Code;
 - c. if the Complaint Officer recommends that the Executive Committee determine that the Respondent did breach this Code, but that the Respondent took all reasonable steps to prevent it, or that the breach was minor or done inadvertently or because of an error in judgment made in good faith, the Complaint Officer will so state in the investigation report and may recommend to the Executive Committee that, even if the Executive Committee determines that a breach of the Code occurred, no sanction be imposed;
 - d. the Complaint Officer shall deliver, on a strictly confidential basis, a copy of the investigation report to the Respondent; and
 - e. the Complaint Officer shall deliver a copy of the investigation report to the Executive Committee forty-eight (48) hours after delivery of the investigation report to the Respondent.

Final Determination by the Executive Committee

29. The Executive Committee shall, within 30 days of delivery of the investigation report pursuant to section 28.e , or a longer period if approved by a vote of the Executive Committee, hold a meeting to consider the investigation report referred to in section 28 and to determine (i) whether the Respondent did breach this Code and, if so, (ii) the appropriate censure, sanctions or corrective actions, if any, that are warranted by the breach of this Code and such other actions that may be taken by the Executive Committee as it considers appropriate in the circumstances.
30. Prior to the Executive Committee making any decision as referred to in section 29, it shall provide the Respondent with (i) notice of the meeting referred to in section 29, and (ii) an opportunity, either in person or in writing, to make submissions in regard to whether the Respondent committed a breach of this Code and/or the appropriate censure, sanctions or corrective actions in regard to any such Code..
31. The Executive Committee may hold a closed or in camera meeting for the purposes of considering the investigation report, receiving legal advice, deliberating and/or voting on the investigation report, or for any other reason that the Executive Committee considers appropriate in the circumstances.

32. The Executive Committee shall prepare a document (“**Executive Committee Decision**”) setting out its decision regarding whether the Respondent breached this Code and what if any measures are warranted by any such breach, as well as brief reasons for its decision. The Executive Committee shall deliver a copy of the Executive Committee Decision to the Respondent, the Complaint Officer, and, if it deems appropriate in the circumstances, the Complainant.
33. The Executive Committee Decision is final and not subject to appeal.

Remedies and Sanctions

34. Remedies and sanctions that may be imposed by the Executive Committee for breaching this Code include the following:
 - a. a letter of reprimand from the Executive Committee addressed to the Respondent;
 - b. a request from the Executive Committee that the Respondent issue a letter of apology;
 - c. the publication of the letter of reprimand and request for apology, along with the Respondent’s written response;
 - d. a recommendation that the Respondent attend specific training or counselling;
 - e. if the Respondent is a Director, a recommendation to the Board that a special meeting of the members be convened in accordance with the By-laws and the Act for the purpose of proposing the removal of such Director from the Board;
 - f. termination of the Respondent’s appointment from any committee, task force, or other FCM-established body to which the Respondent was appointed by FCM;
 - g. public censure of the Respondent; and
 - h. any other sanctions or corrective actions as the Executive Committee deems reasonable and appropriate.

Confidentiality of the Investigation

35. The Complaint Officer shall make all reasonable efforts to investigate Complaints in confidence, but confidentiality may not be possible in all cases. For example, the Respondent may need to know the identity of the Complainant to respond to the Complaint.
36. The Complaint Officer and every person acting under the Complaint Officer’s instructions shall preserve confidentiality with respect to a Complaint and all related matters that come into such persons’ knowledge during any investigation of such Complaint, except as required by law.

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37. An investigation report shall only disclose such matters as in the Complaint Officer's opinion are necessary for the purpose of the investigation report.

Reprisals and Obstruction

38. No person will obstruct the Complaint Officer in the carrying out of the Complaint Officer's duties or responsibilities.
39. No person will threaten or undertake any active reprisal against a Complainant or against a person who provides information to the Complaint Officer in the context of an investigation.
40. No FCM Official or FCM employee will tamper with or destroy documents or electronic records related to any matter under investigation under this Code or refuse to respond to the Complaint Officer when questioned regarding an investigation.