

Town of Sandown, NH Ethics Policy

January 25th, 2008

The Sandown Ethics Policy is adopted under the authority of New Hampshire RSA 31:39-a, and shall not supersede any existing State of New Hampshire RSA's pertaining to conflict of interest, code of ethics, or ethical conduct. This policy shall supersede any and all Conflict of Interest or Ethics Policies in the Town of Sandown. This document is maintained and controlled by the Board of Selectmen.

1.0 Scope

This policy applies to all persons legally acting on behalf of the Town of Sandown whether or not they are an employee of the town, here and after referred to as public servants. Ethical behavior is applicable to all public servants in town government, whether elected, appointed, full time, part time, paid, or unpaid. It shall ensure consistency in the application of policy between the various boards, commissions, and other official activities of the Town of Sandown. Where government is based on the consent of the governed, every citizen is entitled to have complete confidence in the integrity of that government. Each public servant must earn and honor that trust by his/her conduct in all official actions. Ethical behavior will ensure fair consideration of any application or matter to be voted upon, as well as the appearance of fair consideration so as to maintain public confidence in the integrity of town government. It shall ensure that town office is not used for personal gain or advantage.

2.0 Purpose

The purpose of the Sandown Ethics Policy is to ensure that all public servants hold their positions for the benefit of the public and efficiently and faithfully perform their duties under the laws of the federal, state, and local governments. Such public servants shall strive to meet the highest standards of ethics consistent with this Code, recognizing that maintaining the trust and respect of the people must be their foremost concern.

3.0 Ethics Policy

3.1 Conflict of Interest

Public servants shall avoid conflicts of interest. Public servants shall not participate in any matter in which they, or their spouse or dependents, have a private interest which may directly or indirectly affect or influence the performance of their duties.

3.2 Confidential Information

No public servant shall disclose or use confidential or privileged information obtained in the performance of his or her duties for the Town for personal or for financial gain.

3.3 Misuse of Position

No public servant shall use his or her position with the Town to secure privileges or advantages for himself or herself which are not generally available to all, or to secure privileges or advantages for others.

3.4 Training

An Ethics Awareness Training program shall be provided for all public servants as set forth in Article 4.0 of this policy.

3.5 Disclosure

Public servants shall not participate in the conduct of business on behalf of the town or enter into discussion or deliberation of any matter without first, publicly and on the record, stating all dealings, interests, relationships that would tend to compromise the public servants objectivity or create a situation in which there is potential for unfair economic advantage or the possibility of personal financial gain.

3.6 Acceptance of Gifts

Gifts are to be discouraged. However, if such non-acceptance of the gift offends the donor, the public servant may accept a gift with a value of less than \$50.00 after the public servant obtains his/her supervisor's approval.

3.7 Incompatibility of Office

Given the extent of Sandown's municipal staff and limited volunteer resources, there may be cases when one person will simultaneously hold more than one position or office in municipal government. If the legitimate duties of the separate offices cannot be performed with the undivided loyalty of the individual, there will exist an incompatibility of office. Generally, if it is found that the duties of one office holder serve the purpose of providing a check with regard to the duties of the other, or that the one office could review, modify, influence, or supervise the work of the other, then the two offices should not be simultaneously held by the same person. This ordinance shall be enforced concurrently with the State of New Hampshire RSA's 669:7 and 673:7.

3.8 Enforcement

Any complaint of a violation of this Ethics Policy shall be reported to the responsible supervisor. The responsible supervisor shall then report the complaint of a violation to the Board of Selectmen. The ultimate enforcement authority is the responsibility of the Board of Selectmen who will act as the Ethics Committee and who are accountable to the people of Sandown. If the Selectmen determine by a majority vote that removal is warranted, the Selectmen will ask the respondent for a resignation. If the respondent refuses to resign, then a petition to remove an elected and/or appointed official may be filed by the Board of Selectmen with the Superior Court. Nothing in this policy is meant to supersede existing State of New Hampshire RSA's

pertaining to Library employees. For public library employees, the library trustees have the responsibility to act as the Ethics Committee.

4.0 Ethics Awareness Training

4.1 Purpose

Ethics Training shall promote better compliance with the Ethics Policy by increasing awareness of the level of standards expected while in the service of the town. At the conclusion of training public servants should be:

- a.) Able to understand legal and ethical issues that are involved in town business.
- b.) Equipped to know how, when, and where to ask for help.
- c.) More focused on treating residents and co-workers in an ethical manner.
- d.) Able to examine proposed actions from a number of ethical perspectives.
- e.) More aware of how their decisions and actions may affect external perceptions.
- f.) More secure in understanding the municipal town culture and how it will reinforce expected ethical behavior.

4.2 Course Content Recommendations

Within an Ethics Awareness Training course it is recommended that public servants be familiarized with the ethics policy through situations specific to cities and towns which may include:

- a.) Confidentiality of town information.
- b.) Showing favoritism.
- c.) Seeking special privileges.
- d.) Using town property for personal use.
- e.) Initiating or participating in the decision process of town business with companies in which they have a financial interest.
- f.) Being involved in outside employment that conflicts with town duties.
- g.) Reporting illegal or unethical behavior by fellow staff members.
- h.) The Board of Selectmen having the final decision on determinations of unethical behavior.
- i.) Expectation of full cooperation with all official investigations.
- j.) Discouraging gifts.

4.3 Implementation

An Ethics Awareness Training course shall be mandatory training for all Sandown public servants. This training shall be part of orientation and, at a minimum, conducted annually.

4.4 Documentation

Documentation of participation in Ethics Awareness Training and receipt of a copy of the Ethics Policy shall be signed and maintained in Town files.