Policy Name: Public Code of Conduct Policy

Policy Number:	POL-CLK-04
Department:	Clerk's Department
Category:	Council and Statutory Services
Approval Authority:	Council
Date Approved:	2026-09-08
Date Reviewed:	N/A

1.0 Policy Statement

The County of Simcoe ("County") aims to provide exemplary services to all members of the public and to address service requests and complaints equitably, comprehensively and in a timely manner, while promoting a respectful, tolerant and harassment-free workplace between municipal staff and members of the public.

It is the County's objective to deal with all members of the public in a way that is consistent and fair, while acknowledging there is a responsibility to protect municipal staff and other members of the public from unacceptable conduct. To achieve these objectives, unacceptable conduct from members of the public who require County services or access to County facilities may need to be restricted in a manner that is clear, consistent, reasonable, and proportional to the individual's action(s).

Situations arising from unacceptable conduct may cause concern for the safety of individuals on County property or may compromise the enjoyment of County facilities for other users. Unacceptable conduct may consume a disproportionate amount of a municipal staff member's time and resources and can compromise a municipal staff member's ability to provide assistance or deliver good customer service efficiently and effectively to others. Such conduct may also impede municipal staff from attending to other essential issues. In these situations, the County may put restrictions on the contact and access that certain members of the public have with the County.

2.0 Purpose

The purpose of this policy is to provide a positive, safe, and supportive environment for municipal staff and members of the public. In support of this, the County may make the decision to classify a member of the public's communication or actions as unacceptable conduct. The decision to classify a member of the public's behaviour as unacceptable conduct could have serious consequences for the individual, including restricting their access to municipal staff,

County services and/or property. This policy provides examples of unacceptable conduct and outlines the process municipal staff are to follow when they experience unacceptable conduct from a member of the public. Any restrictions applied under this policy are dependent on the circumstances of each individual case.

3.0 Scope

3.1. This policy outlines what constitutes unacceptable conduct from members of the public and sets expectations for members of the public when interacting with municipal staff.

3.2. This policy applies to the behaviours of members of the public and includes all forms of communication which include but are not limited to written, printed, electronic, online, social media, verbal, telephone, or in-person communications, including participation in public meetings.

3.3. This policy applies to all locations where municipal staff interact with the public including but not limited to, any and all County properties, including municipal offices and facilities, long-term care homes, solid waste sites, social housing facilities and municipal forests, online or digital environments managed by the County or which are public, and all such places where the County's business is conducted.

3.4. This policy sets expectations for municipal staff when interacting with members of the public specifically in situations where they may experience unacceptable conduct by members of the public.

3.5. This policy is intended to complement, not replace, existing corporate policies, codes of conduct, by-laws, department policies and existing approval processes and other operational documents used by departments and divisions at the County. For greater clarity, the processes regarding determination and approval of appropriate restrictions, notice and disputing or requesting review of restrictions are not intended to constrain department policies and processes.

3.6. Where there are legislated requirements for access to services provided by the County the legislation supersedes this policy. For greater clarity, this policy does not derogate from and will be applied consistently and in accordance with all other applicable provincial or federal legislation including but not limited to the *Residential Tenancies Act* and the *Human Rights Code*.

3.7. This policy does not apply to members of the public when interacting with members of County Council.

4.0 Exceptions

Nothing within this policy restricts or otherwise limits:

4.1. The County's authority to engage in litigation or seek legal redress for actions taken by persons, regardless of whether those actions may fall within the scope of this policy.

4.2. The County's ability or obligation to comply with any requirements established by provincial or federal legislation.

4.3. Municipal staff's right to refuse unsafe work under the *Occupational Health and Safety Act*.

5.0 Definitions

For the purposes of this policy:

"Member of the Public" includes, but is not limited to, residents, individuals, businesses, not-for-profit organizations, stakeholders, and community or corporate organizations that interact with the County and municipal staff.

"Municipal Staff" for the purposes of this policy municipal staff includes employees and volunteers.

"Unacceptable Conduct" is any verbal or written communication or action by a member of the public, which because of its nature or frequency, has a disproportionate or unreasonable impact on the County, municipal staff, other customers, services, programs, time and/or resources. This may include a single significant incident, a serious matter or a repeated pattern of minor unacceptable conduct.

6.0 Unacceptable Conduct

Examples of what may be considered unacceptable conduct by a member of the public while accessing a County program, service, event, facility or otherwise are listed below. This list is not exhaustive:

6.1. Engaging in discriminatory conduct.

6.2. Abusive or disrespectful communication or actions, including threats, profanity, rude or inappropriate language, name calling, bullying, attempts to goad or incite anger in others, harassment, yelling or shouting.

6.3. Inappropriate physical behaviour, including approaching an individual in an aggressive or intimidating fashion, throwing objects in a deliberate or aggressive manner, spitting, unwelcome touching, striking or assaulting anyone.

6.4. Posting libelous statements or private information about municipal staff in a public or private forum or posting abusive or disrespectful comments about municipal staff on County moderated platforms.

6.5. Unreasonably fixating on a municipal staff member and/or filing trivial or unfounded complaints about municipal staff.

6.6. Making derogatory comments about municipal staff in any form.

6.7. Making unjustified complaints to or about municipal staff and/or trying to have municipal staff unreasonably replaced who are managing an issue.

6.8. Making excessive demands on the time and resources of municipal staff, creating a high volume or frequency of correspondence or mingling requests with accusations and complaints.

6.9. Contacting different municipal staff to receive a different outcome or response to a matter that has been considered and dealt with or attempting to reopen issues that have already been considered and dealt with.

6.10. Engaging in illegal activity, including illegal consumption of alcohol or drugs, theft, possession of weapons, and vandalism.

6.11. Any intentional or repeated act that violates County permits, policies, or By-laws.

6.12. Any act that gives rise to concern for public safety, including loitering, causing a disturbance, or acting under the influence of drugs and alcohol while attending County property and facilities.

6.13. Knowingly making or using falsified documents, providing false information or misquoting others, taking comments out of context or withholding relevant information.

6.14. Recording meetings and conversations, without informing municipal staff involved and receiving consent.

6.15. A request or complaint that is reasonably perceived by the County to be: (a) without reasonable or probable cause; (b) without merit or substance; (c) trivial; or (d) unfounded.

6.16. A request or complaint that is pursued in a manner that is reasonably perceived by the County to be (a) malicious; (b) intended to embarrass or harass the recipient; or (c) intended to be a nuisance.

6.17. Demanding services that are of a nature or scale that cannot be provided by the County or refusing to accept that the County cannot provide a particular service or action on a particular issue.

7.0 Responsibilities

7.1. A **Member of the Public** is responsible for:

a) Reviewing and complying with this policy.

b) Complying with any restrictions applied to them by the County.

7.2. **Municipal Staff** are responsible for:

a) Complying with this policy and any departmental, site and/or program specific procedures and processes provided by their Supervisor/Manager.

b) Participating in relevant training as directed by their Supervisor/Manager.

c) Documenting interactions with members of the public when it is believed unacceptable conduct has occurred which may lead to restrictions.

7.3. **Supervisors/Managers** are responsible for:

a) Contacting Human Resources to report unacceptable conduct towards municipal staff that is related to the prohibited grounds of the Ontario Human Rights Code or the definitions of workplace violence or harassment under the *Occupational Health and Safety Act*, and to determine appropriate investigation procedure.

b) Ensuring all municipal staff reporting to them are aware of this policy, associated resources and provided training in support of this policy as required.

c) Ensuring departmental procedures and training are in place to support this policy.

d) Taking action to support municipal staff and carry out this policy when a member of the public's conduct is considered as unacceptable conduct.

e) Determining when it is appropriate to report unacceptable conduct from a member of the public that may require restrictions to be put in place to limit the individual's access to municipal staff, County services, programs, facilities, and/or property to their Director.

f) Providing information to other departments, where appropriate, to make municipal staff aware of any restrictions that have been put in place for a member of the public.

7.4. **Directors** are responsible for:

a) In consultation with a Supervisor/Manager, determining the appropriate restrictions in response to unacceptable conduct and submitting recommendations to their General Manager.

b) Keeping records of any decisions to impose restrictions, including the name and address of members of the public who has been identified as in violation of this policy, the restrictions that have been put in place, and the start and end date of the restrictions, in accordance with any provincial access and privacy laws, including the *Municipal Freedom of Information and Protection of Privacy Act*.

7.5. **General Managers** are responsible for reviewing and approving restrictions recommended by their Directors, prior to them being imposed, and signing off on notices to members of the public.

7.6. **The Chief Administrative Officer** reserves the right to make the final determination of appropriate restrictions and has authority to intervene in a matter at any time throughout the course of any incident of unacceptable conduct.

7.7. **The Clerk's Department** is responsible for maintaining this policy and ensuring it is reviewed at minimum every three years in accordance with the Corporate Policy Framework.

8.0 Municipal Staff Response

When a situation arises where a municipal staff member experiences or witnesses a member of the public engaging in unacceptable conduct the following process will apply.

8.1. Municipal staff are expected to only use non-physical, verbal intervention methods when addressing a member of the public who is engaging in unacceptable conduct. Municipal staff are expected to be informed on and follow all department procedures with respect to interactions with members of the public. Appropriate actions by municipal staff may include:

a) Requesting the member of the public, without jeopardizing anyone's safety, to cease the unacceptable conduct immediately.

b) Asking the member of the public to leave the premises.

c) Informing the member of the public of the existence of the Public Code of Conduct Policy and that they may be subject to restrictions.

d) Advising the member of the public that they are exhibiting unacceptable conduct and hanging up the phone or otherwise disengaging.

e) Removing themself entirely from the situation with the member of the public or seeking the presence of additional municipal staff or their Supervisor/Manager for support.

8.2. If a municipal staff member experiences a situation where there is concern for safety and/or the member of the public refuses to cease the unacceptable

conduct, municipal staff will avoid engaging with them further and will notify their Supervisor/Manager immediately. The Supervisor/Manager may, in consultation with the municipal staff member, advise the member of the public that failure to cease the unacceptable conduct will result in the police being called. If they refuse to cease the unacceptable conduct the Supervisor/Manager may call the police to report the situation. A municipal staff person may only call the police without consulting their Supervisor/Manager where there is an immediate and serious threat of physical harm present.

9.0 Documenting an Incident

9.1. When unacceptable conduct has occurred which may require restrictions to be applied, municipal staff will advise their Supervisor/Manager of the incident (during or following the interaction). The municipal staff member will document information related to the incident in writing. One written document may be used where the unacceptable conduct involves multiple members of the public in the same incident and where unacceptable conduct includes a repeated pattern of behaviour. Documentation of incidents by municipal staff may include:

a) Summary of the incident, including dates and approximate times.

b) Amount of time that has been consumed.

c) Length of time that municipal staff have been in contact with the member(s) of the public and the history of interactions.

d) Amount of correspondence that has been exchanged with them (verbal and/or written).

e) Number of requests or complaints they have brought and the status of each.

f) Detailed records of municipal staff interactions with them, including e-mails, voicemails, in-person interactions, written notes or other documentation.

9.2. Once the documentation has been completed, municipal staff will submit it to their Supervisor/Manager.

9.3. When a Supervisor/Manager receives documentation of unacceptable conduct they will review all of the information submitted and determine if any restrictions may need to be applied

9.4. If the Supervisor/Manager believes restrictions may need to be applied based on the unacceptable conduct, they will inform their Director.

9.5. A lack of formal documentation in respect of unacceptable conduct shall not limit the application of this policy or the ability to place restrictions on members of the public.

10.0 Determination of Restrictions

10.1. Directors shall review all documentation on an incident of unacceptable conduct provided by their Supervisor/Manager and prepare a recommendation with one or more of the following restriction options as applicable:

a) Inform the member of the public that their request for service, information or complaint has been considered and dealt with in accordance with relevant County or legislative procedures, that the matter will no longer be addressed and only substantially new requests for service or information will be responded to.

b) Limit communication to one method of contact (e.g., telephone or email), specific times and duration, and/or with one named member of municipal staff.

c) Require any in-person interactions between them and municipal staff to take place in the presence of another municipal staff member and/or in a suitable location, as determined by the County.

d) Require them to make contact only through a third-party representative (e.g., solicitor, Councillor or friend acting on their behalf).

e) Limit or regulate the use of County services, programs or facilities which may include refusing or limiting access to County facilities (e.g., by appointment or specific permission).

f) Issue a no trespass letter which may include notification to local police services. When an individual is prohibited from entering on to one or more specific County properties for a period of time, the County may issue a Notice of Trespass to Property to the individual. Ontario Provincial Police may be requested to assist where a Notice of Trespass to Property is contravened by an individual.

10.2. The above items under Section 10.1 are not an exhaustive list and a Director may determine other proportional restrictions which may be applied on a case-by-case basis.

10.3. Directors will provide their General Manager with the recommended restrictions and other information deemed relevant such as incident documentation.

10.4. The General Manager will review documentation and recommendations from the Director and provide approval of the restrictions that will be put in place.

11.0 Notice

When the General Manager has approved the restrictions to be implemented to address the unacceptable conduct, the member of the public will be informed of the decision through a written notice letter prepared by the Director and Supervisor/Manager. Notice will be delivered by e-mail or letter mail. The written notice may outline the following:

11.1. The date of issuance.

11.2. A description of the observed unacceptable conduct.

11.3. Any restrictions that apply, and the duration of the restrictions.

11.4. The municipal staff member or representative that they may contact during the restriction period (if any), and the form of communication to be used.

11.5. Instructions for submitting a request for review.

12.0 Disputing or Requesting Review of Restrictions

12.1. A member of the public who has had restrictions applied against them may request a review during the restriction period. The request must be made in writing and submitted via e-mail or letter mail to the Director who prepared the initial notice letter and include at minimum:

a) Identification of the incident in question and the identity of the person against whom restrictions were placed.

b) An explanation of why they are requesting the review.

c) The resolution sought from the County.

12.2. A request for review will be limited to one time within a 365-day period.

12.3. Following a review of the restrictions applied, a General Manager not involved in the initial imposition of the restrictions, or the CAO, may uphold, amend, or rescind the County's previous decision, and the Director will notify the individual of the County's decision through e-mail or letter mail.

12.4. Members of the public who believe the provisions of this policy have been applied unfairly or are unsatisfied with the outcome of the review process may file a complaint with the Ontario Ombudsman.

13.0 Personal Information Collected, Used and Disclosed

13.1. Personal information collected and used under this policy may include an individual's general description, photographic image or likeness, and will not be used or disclosed for an inconsistent purpose.

13.2. In order to enforce any restrictions applied to a member of the public under this policy, municipal staff may disclose to other municipal staff or agents of the County the individual's personal information, a summary of the unacceptable conduct, any restrictions applied to the individual and any other information pertaining to incidents.

14.0 Applicable Legislation

The legislation listed below remains in force and will also be complied with in the circumstances set out in this policy.

- *Trespass to Property Act*
- *Occupational Health and Safety Act*
- *Residential Tenancies Act*
- *Human Rights Code*

15.0 Review and Evaluation

This policy will be reviewed at minimum every three years in accordance with the Corporate Policy Framework and as necessary to ensure it is compliant with applicable legislation.

Version Tracking History

Revision and Rational	Implementation Date
New policy	September 2026

16.0 Approval

Council Date: September 8, 2026 Council Minute Item: 2026-207	Committee Date: August 25, 2026 Committee Minute Item: GOV-34-26