

## 4.1.4 Council Member Position Description

### Introduction

Council has developed this Position Description to clarify Council members' duties and to set out how the Council expects Council members to discharge their duties and responsibilities in a manner consistent with the spirit and intent that underpin those obligations.

### Standards of Conduct

In discharging their responsibilities, each Council member must:

- a) act honestly and in good faith with a view to the best interests of the public
- b) exercise the care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances
- c) accept that their conduct and statements will be viewed as those of the Council

In keeping with these responsibilities, each Council member is required to:

- a) act in the best interests of the public and not in their self-interest, or in the interest of a particular group
- b) comply with Council policies, including the RECA's Code of Conduct
- c) comply with the Real Estate Act, Bylaws, Rules and Regulations;
- d) make full and timely disclosure of any actual, potential or apparent conflicts of interest in accordance with RECA's Conflict of Interest Policy for Council Members;
- e) keep confidential information confidential, including all information associated with in camera meetings

### Council and RECA Staff Relations

Council members must respect the governance model and organizational structure of RECA. The Council acts collectively. No Council member has the authority to direct any employee of RECA.

The relationship between the Council and staff is through the executive director. Council members interact with RECA staff when working on committees or when the executive director has delegated responsibility to staff.

Council members should direct any questions or concerns about staff or operational issues to the Council Chair. The Council Chair may address this with the executive director.

## Council Members' Fiduciary Duty

Each Council member has a fiduciary duty to act in the best interests of the organization and not as a delegate or representative of any external organization or interest group.

Although a Council member can express or consider external interest group or stakeholder views, a Council members' duty is to the public.

## Council Activity

### Information Exchange

Council members must devote the necessary time and attention to be able to make informed decisions on issues that come before the Council. Council members are expected to be knowledgeable about RECA's mandate, goals and objectives, and operations.

Council members must be fully prepared for Council meetings, including reading the meeting package. If a Council member has questions about submissions to the Council, they should ask the Council Chair in advance of the meeting. The Council Chair will consult with the executive director, as required. Advance notice of issues or questions allows the Council Chair to appropriately address them.

Council members are expected to advise the Council Chair and the executive director in advance of introducing significant and previously unknown information or issues, or any conflicts of interest.

### Meetings

During meetings, a Council member is expected to:

- a) be prepared and well-informed on relevant issues (through Council meeting materials or otherwise);
- b) bring their own experience, wisdom, judgment and influence to bear constructively on issues;
- c) interact with others in a respectful and constructive manner;
- d) speak and act independently while remaining a team player;
- e) express opinions in a clear and respectful manner;
- f) express points of view for the Council's consideration;
- g) ask probing questions when appropriate;
- h) listen to, and exercise tolerance for, others' perspectives;
- i) be adaptable, flexible and open-minded in the consideration and implementation of change;
- j) exercise a logical, rational approach to problem solving
- k) analyze issues from many perspectives, considering the impact of decisions on RECA's internal and external environments (e.g. public, government, registrants, stakeholders);
- l) be innovative and resourceful in developing solutions; and

m) focus inquiries on issues related to strategy, policy, implementation and results rather than issues relating to the day to day management of RECA

On any given issue the Council must have a single voice. The authority of the Council is collective and not individually-based. This is because Council as a whole is entrusted with the authority to exercise governance oversight of RECA. Therefore, following meetings, the Council speaks with one voice. This means that although there may be vigorous discussion or debate of competing viewpoints in the meeting, when the Council makes a decision, that decision stands as the position of the Council and Council members are expected to support the Council's decision.

In carrying out their responsibilities, each Council member is expected to be actively engaged in and add value to the Council's work. Those Council members who have particular areas of expertise are expected to use their unique skills and experience to the benefit of the Council, for example by contributing to discussions on topics within their area of expertise.

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### **Attendance**

Council members are expected to maintain an excellent Council and Committee meeting attendance record.

Council members should strive to attend meetings in person, but may participate in a Council meeting or Committee meeting by telephone or other means that permits all participants to hear each other.

### **Specific Duties**

1. Participate in the development and evaluation of the governance and macro policies of the organization
2. Participate in the development and evaluation of policies and programs affecting the industry and consumers
3. Review and approve the annual budget of the organization
4. Monitor risk management, the ongoing financial and operational effectiveness of the organization, and bring any concerns to the attention of the executive director, chair or Council as appropriate
5. Participate on Council committees as assigned by the chair
6. Participate in Council training and development activities
7. Participate in Council-appointed hearing and appeal panels
8. Perform other duties assigned by the Council and/or the chair
9. Participate in the Council performance review and in the individual Council member self-assessment process