

DUFFERIN-PEEL CATHOLIC DISTRICT SCHOOL BOARD
BOARD POLICY / REGULATIONS

Board Policy Number: 1.01

Subject: Code of Ethics – All Staff

Effective Date: (524) October 28, 2003; Revised (155) April 27, 2010

Employees of the Dufferin-Peel Catholic District School Board occupy positions of public trust and confidence. They are expected to discharge their duties and responsibilities with integrity in a professional, impartial and Catholic manner.

It is imperative that employees of the Board be, and be seen to be acting with honesty, care and due-diligence, in the best interests of the public they serve. Respect must be demonstrated for each other and for the environment. Without limiting the generality of the foregoing, employees would compromise themselves in the discharge of their duties by being in or being perceived to be in a conflict of interest, by contravening any law, by disclosing confidential business, personnel or student information and/or by misappropriating board resources.

Any employee of the Board, who contravenes the Code of Ethics and accompanying Regulations, may be subject to disciplinary action up to and including termination, where appropriate

I. CONFLICT OF INTEREST

Definition

A conflict of interest exists when the decisions and/or actions of employees during the course of exercising their employment duties are affected by or perceived by another party or person to be affected by the employee's personal, financial or business interests or the personal, financial or business interests of a relative, friend, and/or business associate of the employee.

Expectations

1. Every employee is responsible and accountable for exercising good judgment and avoiding situations that might present a conflict of interest or be perceived as a conflict of interest
2. Employees shall not use their position, authority or influence for personal, financial or material gain or personal business purposes or for the personal, financial or material gain or business purposes of a relative, friend and/or business associate. Every employee shall uphold and enhance all Board business operations by:
 - a) Maintaining an unimpeachable standard of integrity in all business relationships, both inside and outside the Board;

- b) Carrying out all activities, in particular contracting and purchasing activities, in a fair, transparent manner with a view to obtaining the best value for the Board's money, and ensuring that resources are used in a responsible, efficient and effective manner;
 - c) Fostering the highest standard of professional competence amongst those for whom they are responsible, and for themselves, striving always to improve procedures, knowledge levels and skill, and sharing leading practices;
 - d) Complying with and being seen to be complying with the letter and spirit of:
 - * The laws of Canada and the Province of Ontario
 - * Contractual obligations applicable to the individual and the Board
 - e) Rejecting and denouncing any business practice that is improper or inappropriate or may appear to be improper or inappropriate.
3. An employee must not engage or participate in any outside employment, business or commercial undertaking (paid or volunteer) that interferes with the performance of his or her duties as an employee of the Board, or from which an economic, financial or commercial advantage may be derived by the employee, a relative, friend and/or business associate of the employee as a result of confidential business, financial or commercial information gained by the employee from employment with the Board.
4. An employee shall not use his or her position, authority or influence to give any person or organization special treatment that might, or might be perceived to advance the interests of the employee, or the interests of a relative, friend and/or business associate of the employee. This includes providing preferential treatment or publicly endorsing suppliers or products.
5. An employee must not participate in any decision or recommendation in which he or she, or a relative, friend or business associate may have a financial, commercial or business interest.

Disclosure

The Director of Education shall disclose a conflict of interest or potential conflict of interest to the Chair of the Board. The Associate Directors shall disclose a conflict of interest or potential conflict of interest to the Director of Education. Superintendents shall disclose a conflict of interest or potential conflict of interest to their respective Associate Director. Mid-Management employees shall disclose a conflict of interest or potential conflict of interest to their supervisor. All other employees shall disclose a conflict of interest or potential conflict of interest to their immediate Supervisor.

II. COMPLYING WITH THE LAW

1. All employees will and will be seen to comply with the letter and spirit of all of the laws of Canada and the Province of Ontario and any contractual obligations resulting from the employees' duties, employment or employment duties and/or any contractual obligations of the Board.

2. When acting on behalf of the Board, no employee shall at any time take any action that he or she knows or reasonably should know violates any applicable law or regulation.
3. It is every employee's responsibility to ensure that all information he or she communicates in the course of his or her employment duties is accurate and complete. No employee shall withhold information or willfully mislead members of the Board, officers, supervisors, parents/guardians, students or the public.
4. It is the responsibility of all employees to familiarize themselves with their duties and any requirements of them as prescribed by the *Education Act*, and Regulations, the *Municipal Freedom of Information and Protection of Privacy Act* and Regulations and any other Act or Regulation that may be applicable to the employee's employment duties, from time to time
5. All employees are responsible for immediately reporting to an appropriate supervisor any suspected illegal behaviour or behaviour that contravenes this or any policy of the Board.

III. CONFIDENTIALITY

1. All employees acknowledge that, as part of their duties to the Board, they may be exposed to private and confidential financial, business and/or commercial information belonging to the Board that may provide a financial, business, commercial or competitive advantage, and that they may be exposed to private and confidential student and personnel information.
2. Except as required by the law, all employees and former employees agree not to use, directly or indirectly, for the employee's benefit or for the benefit of any person, organization, firm, or other entity, the Board's proprietary or confidential information disclosed or entrusted to that employee or developed or generated by the employee during the performance of his or her duties for the Board. Such information may include, but is not limited to, information relating to the Board's organizational structure, operations, business plans, technical projects, business costs, research data results, inventions, trade secrets or other work produced, developed by or for the Board.
3. Except as required by law, and in accordance with the *Education Act* and *Municipal Freedom of Information and Protection of Privacy Act*, all employees agree not to use or disclose the personal and/or educational information of students and their families in the Board's possession, or which may come to the attention of such employee during the course of his or her duties with the Board.
4. Except as required by law, and in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*, all employees agree not to use or disclose the personal and/or employment information of Board employees and their families in the Board's possession or which may come to the attention of an employee during the course of his or her duties with the Board.

IV. BOARD RESOURCES

1. No employee shall use Board resources for personal gain. No employee shall permit relatives, friends and/or business associates to use Board resources for personal gain.
2. All employees shall abide by Board Policies and General Administrative Procedures regarding the use of Board resources including information technology resources.
3. All employees acknowledge that works of authorship commissioned, assigned, or paid for by the Board, which may include, but are not limited to books, articles, pamphlets, course materials, inventions, improvements, discoveries, computer software, and documentation, created by the employees on Board time, in the course of their employment, are the sole property of the Board. Employees who have created works of authorship in the course of their employment shall have no propriety or moral rights to their creation or invention.

REGULATIONS

1.01 CODE OF ETHICS – ALL EMPLOYEES

In order to ensure compliance with the Board's Code of Ethics, all employees of the Board shall follow the guidelines set out below

DECLARATION OF INTEREST

Where a conflict of interest arises, or when a potential conflict of interest emerges, the employee has a duty to inform his/her immediate Supervisor (Manager, Superintendent, Associate Director, Director or Chair of the Board, as the case may be), of any and all relevant facts concerning the situation.

Any personal interest that may impinge or might reasonably be deemed by others to impinge on a employee's impartiality or judgment in any matter relevant to his/her duties, should be declared to the employee's immediate supervisor, and in the case of the Director, to the Board.

CONFIDENTIALITY AND ACCURACY OF BUSINESS/CORPORATE INFORMATION

The confidentiality of business/corporate information received in the course of duties must be respected and should not be used for personal gain. Information given in the course of fulfilling employment duties should be true and fair and not designed to mislead. For example, it is considered unethical and damaging to the Board's reputation to allow vendor's proprietary/ confidential information to pass to another vendor, potential vendor or any person with a financial interest in the information, whether potential or actual, direct or indirect.

The confidentiality of personal/educational student and family information received in the course of duties must be respected, protected and kept confidential. Information received should not be discussed or reviewed in public or where another employee,

student, parent or member of the school community could accidentally overhear or read such information.

The confidentiality of personal/employment and family information about fellow Board employees, and/or Trustees, received in the course of duties must be respected, protected and kept confidential. Information received should not be discussed or reviewed in public or where another employee or member of the public could accidentally overhear or read such information.

HOSPITALITY AND GIFTS

Moderate hospitality is an accepted courtesy of a business relationship. However, the recipients should not allow themselves to reach a position whereby they might be influenced in making a business decision as a consequence of accepting such hospitality.

i) Offering or Accepting Gifts or Favours

Although the exchange of common courtesies (such as the occasional gift or meal of nominal value less than \$200.00), is recognized as acceptable business practice, there is a danger in offering or accepting gratuities or favours that could be mistaken for improper payment; therefore, the conditions outlined in ii) below must be met.

Employees should not use their position for improper gain, nor under any circumstances accept gifts of cash, bonds, securities, personal loans, airline tickets, use of a vacation property or costly entertainment.

ii) Conditions for Accepting Gifts or Favours

An employee may accept the hospitality or a gift from another in the course of the professional relationship, if:

- * the employee is not involved in purchasing goods, processing accounts or is otherwise involved in supply chain management;
- * an employee believes that the donor is not trying to obligate them, or improperly influence a decision;
- * it is “normal business practice” for the purposes of courtesy and good business relations; and,
- * acceptance is legal and consistent with generally accepted ethical standards.

iii) Examples of Acceptable Gifts

Examples of acceptable gifts include:

- * Holiday gifts, such as fruit baskets or candy
- * Inexpensive advertising and promotional materials (e.g., give-aways, such as pens or key chains)
- * Inexpensive awards to recognize service and accomplishments in civic, charitable, educational or religious organizations (such as nominal gift certificates to book stores)

iv) Gifts of Considerable Value

Where it would be extraordinarily impolite or otherwise inappropriate to refuse a gift of obvious value, the gift may be accepted on behalf of the Board. As noted under (viii) Reporting Gifts, report the gift. Such gifts may not be taken for the employee's home use or enjoyment. Employees might ask themselves if public knowledge of the gift would cause personal embarrassment or embarrassment to the Board.

If there is still uncertainty regarding what is considered an appropriate gift to give or receive, this should be discussed with the immediate supervisor, Supervisory Officer, Associate Director, Director or Chair of the Board, as appropriate.

v) Honoraria

Senior Management, school administrators, managers and supervisors are not allowed to receive honoraria, gift certificates or payments of any kind, while performing instructional or informational duties while on Board time. The exception to this would be if significant preparation time was required and this preparation time was conducted on personal time.

Honoraria of a significant nature (in excess of \$200) must be reported as in (viii) below.

vi) Gift Certificates

Gift certificates may not be purchased by using either the Procurement card or the Visa Card.

vii) Departing/ Retirement Gifts

Senior Management, School Administrators and Managers may provide to departing or retiring staff, gifts which are token

viii) Reporting of Gifts, Hospitality and Favours

Employees herein must report/notify, by e-mail, of any gifts, honoraria, hospitality and favours received over \$200.00.

Superintendents must notify their respective Associate Directors; the Associate Directors must notify the Director, and the Director of Education must notify the Chair of the Board. Mid-Management employees must notify both their immediate supervisor and their Superintendent. All other employees must notify their immediate Supervisor

Employees herein must complete the form, Code of Ethics – Reporting of Gifts, (available in the Public Folders – Human Resources) and forward the completed form to the office of the Superintendent of Human Resources, for retention purposes.