



Section Three: Staff

“Together We Learn”

390 - CONFLICT OF INTEREST AND CONFIDENTIALITY

Introduction

The Board of Education expects the highest standards of conduct from its employees and views such behaviour as paramount in developing and maintaining the public's trust and confidence in the district. The requirements for compliance with the high standards of conduct established by the Board are a condition of employment. Employees are expected to comply with the standards and expectations expressed in this policy and to generally exhibit these qualities and values within their daily activities as they relate to district business.

Employees are expected to request a determination of the Superintendent of Schools/CEO before engaging in any activity which might reasonably raise questions about a possible conflict of interest.

The Superintendent of Schools/CEO is expected to request a determination of the Board before engaging in any activity that might reasonably raise questions about a possible conflict of interest.

A breach of the Conflict of Interest and Confidentiality Policy is considered to be a serious breach of an employee's obligations that may result in discipline or dismissal.

1. The issue of conflict of interest is a delicate one that must be handled with the utmost care and consideration for employees while adhering to an unwavering commitment to high standards of employee conduct including but not limited to the following:
 - 1.1 District employees have a duty of loyalty to the district as their employer. This duty requires employees to provide services to the best of their ability regardless of their own personal perspectives of Board direction or policy. The honesty and integrity of district employees must be above reproach and coupled with impartiality in the conduct of their duties to ensure that their actions are above public suspicion. The actions and conduct of employees must be such as to instil within the public a sense of trust and confidence in the district.
 - 1.2 It is essential that employees recognize their responsibility to ensure that confidential information received as a result of employment with the district remains confidential, and not be divulged to anyone other than individuals authorized to receive such information. This includes confidential information received verbally or in written or electronic form. Disclosure of confidential information may put employees in a position of conflict of



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interest, and great care must be taken when communicating with individuals inside and outside the district.

- 1.3 A conflict of interest may also occur when an employee's private affairs or financial interests are in conflict, or could result in a perception of conflict, with the employee's duties or responsibilities in such a way that:
 - 1.3.1 the employee's ability to act in the public interest could be impaired;
or
 - 1.3.2 the employee's actions or conduct could undermine or compromise the public's confidence in the employee's ability to discharge work responsibilities, or
 - 1.3.3 the trust that the public places in the public service.
2. While the Board recognizes the right of public service employees to be involved in activities as citizens of the community, conflict must not exist between employees' private interests and the discharge of their job-related duties. Upon accepting a position in the district, employees must arrange their private affairs in a manner that will prevent conflicts of interest, or the perception of conflicts of interest, from arising.
 - 2.1 Parents who are also employees of the School District, are able to be PAC members per the BC School Act, but are not able to be executive members of a school's Parent Advisory Council where they are both a parent and a member of staff at that school (with the exception of Student Supervisors or positions of ten hours per week or less). Parents who are also employees of the School District in any capacity, are not able to be executive members of the Central Okanagan Parent Advisory Council (COPAC).
3. Examples of conflicts of interest include, but are not limited to, the following:
 - 3.1 an employee uses district property or the employee's position to pursue personal interests;
 - 3.2 an employee is under obligation to a person who might benefit from or seek to gain special consideration or favour;
 - 3.3 an employee, in the performance of duties, gives preferential treatment to an individual, corporation or organization, including a non-profit organization, in which the employee, a relative or friend of the employee has an interest, financial or otherwise;



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- 3.4 an employee benefits from, or is reasonably perceived by the public to have benefited from, the use of information acquired solely by reason of the employee’s employment;
- 3.5 an employee benefits from, or is reasonably perceived by the public to have benefited from, a government transaction over which the employee can influence decisions (for example, investments, sales, purchases, borrowing, grants, contracts, regulatory or discretionary approvals or appointments);
- 3.6 an employee requests or accepts from an individual, corporation or organization, directly or indirectly, a personal gift or benefit that arises out of their employment in the district other than the exchange of normal hospitality between persons doing business together or gifts to persons participating in public functions.
4. Employees are in a conflict of interest when dealing with direct relatives or individuals who primarily reside with them when the following working relationships exist:
 - 4.1 a reporting relationship exists where one employee has influence, input or decision-making power over the other employee’s performance evaluation, salary, premiums, special permissions, conditions of work and similar matters; or
 - 4.2 the working relationship affords an opportunity for collusion between the two employees that would have a detrimental effect on the employer’s interest.
5. The above restriction on working relationships may be waived provided that the Superintendent of Schools/CEO or Secretary-Treasurer/CFO is satisfied that sufficient safeguards are in place to ensure that the employer’s interests are not compromised.
6. Employees are to disqualify themselves as participants in personnel decisions when their objectivity would be compromised for any reason, benefit or perceived benefit which could accrue to them. For example, employees are not to participate in staffing actions involving direct relatives or persons living in the same household.
7. Employees may engage in remunerative employment with another employer, carry on a business, receive remuneration from public funds for activities outside their position, or engage in volunteer activities without there being a conflict of interest, provided it does not:



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- 7.1. interfere with the performance of their duties as an employee of the district;
- 7.2. bring the district into disrepute;
- 7.3. represent a conflict of interest or create the reasonable perception of a conflict of interest;
- 7.4. appear to be an official act or to represent district direction or policy;
- 7.5. involve the unauthorized use of work time or district premises, services, equipment or supplies to which they have access by virtue of their employment with the district; or
- 7.6. gain an advantage that is derived from their employment with the district.

Date Agreed: June 22, 2005

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Related Document: Policy 703