

Public Schools Branch

INTERIM OPERATIONAL PROCEDURE

This procedure is in effect until June 30, 2020 unless it is revoked or replaced prior to that date.

EMPLOYEE CONFLICT OF INTEREST	
<i>Policy Section</i> Human Resources	<i>Procedure Number</i> 506.1
<i>Pages</i> 3	<i>Approved Date</i> February 26, 2019
<i>Reviewed Date</i>	<i>Effective Date</i> February 26, 2019
<i>Replaces:</i> ESD AECA-R Conflict of Interest, June 8, 2005 WSB Policy 25, Employee Conflict of Interest	

1.0 SCOPE

1.1 This procedure applies to all Public Schools Branch employees.

2.0 INTRODUCTION

2.1 *Ethical Dimensions* - The ethical dimensions of a particular set of circumstances will not always be obvious and, in cases of uncertainty, must be measured using the criteria of legality, fairness, and defensibility. It is essential that an employee's conduct must be legal, fair, and appropriate in the circumstances and defensible in the event it is challenged.

3.0 DEFINITION

3.1 Conflict of Interest - Any situation in which an employee, either for himself/herself or some other person(s), attempts to promote a personal or private interest which results in the following:

- a) an interference with the objective exercise of his/her duties as an employee of the Public Schools Branch;
- b) a gain or an advantage by virtue of his/her position as an employee of the Public Schools Branch.

4.0 OUTSIDE ACTIVITIES

4.1 Involvement in outside employment and other activities by employees is not prohibited unless such employment or other activity:

- a) causes or is likely to result in a conflict of interest; or
- b) is performed in such a way as to appear to be an official act, or to represent a Public Schools Branch opinion of policy; or
- c) unduly interferes through telephone calls, internet use, or otherwise, with regular duties; or
- d) involves the use of Public Schools Branch premises, equipment, or supplies unless such use is otherwise authorized.

5.0 RESPONSIBILITIES

- 5.1 Director of the Public Schools Branch shall:
- a) in consultation with the Director of Human Resources, report (as appropriate) conflict of interest concerns and/or issues to the Chair of the Board of Directors.
- 5.2 Director of Human Resources shall:
- a) ensure that this procedure is implemented, on behalf of the Director of the Public Schools Branch;
 - b) ensure that all Public Schools Branch employees:
 - i. have access to a copy of the Conflict of Interest policy and procedure; and
 - ii. are appropriately informed regarding the provisions of same;
 - c) advise and assist Public Schools Branch supervisory personnel with the administration and implementation of this procedure;
 - d) review and resolve, as appropriate, conflict of interest concerns/issues;
 - e) receive, review and maintain a file of all conflict of interest reports; and
 - f) report conflict of interest concerns/issues to the Director Public Schools Branch.
- 5.3 Principals and Supervisory Personnel (each department) shall:
- a) ensure that all employees (within area of supervisory responsibility) are informed regarding the conflict of interest policy and procedures;
 - b) monitor implementation of and adherence to the policy and procedure within the workplace;
 - c) refer conflict of interest questions, concerns, issues to the Director of Human resources; and,
 - d) receive and submit to the Director of Human Resources any Conflict of Interest Reports (Appendix A) submitted by employees.
- 5.4 Public Schools Branch Employees shall:
- a) perform their duties and functions impartially, responsibly, diligently, efficiently and with integrity;
 - b) arrange their private interests in a manner that will prevent a conflict of interest, with any doubt in this respect being resolved in favour of the public interest;
 - c) not solicit or accept directly or indirectly, a fee, gift or benefit from a person or an organization who has dealings with the Public Schools Branch where the fee, gift or benefit could influence the performance of official duties and functions;
 - d) benefit from Public Schools Branch programs, services and initiatives only to the extent that a member of the public benefits therefrom;
 - e) benefit from information, which is obtained in the course of employment, only to the extent that a member of the public may benefit therefrom;
 - f) not benefit from, use or permit the use of Public Schools Branch property including property leased to the Public Schools Branch, or Public Schools Branch services, for anything other than in the course of the performance of official duties and functions, and otherwise only to the extent that a member of the public may use or benefit therefrom;
 - g) in the course of the performance of official duties and functions involving the public, assist all members of the public fairly and reasonably;
 - h) maintain appropriate confidences;
 - i) observe all laws and rules;
 - j) treat other employees with respect and dignity;

- k) not use their position, office, Public Schools Branch affiliation or Public Schools Branch information or property to pursue personal interests;
- l) on the appropriate report form, complete and submit a “Conflict of Interest” Report (Appendix A) using the Checklist (Appendix B) regarding any situation(s) wherein the employee, spouse and/or dependent has or may have a conflict of interest;
- m) act in a manner that will bear the closest public scrutiny, an obligation that is not fully discharged by simply acting within the law;
- n) not accord preferential treatment in relation to any official matter to family members or friends, or to organizations in which the employee, family members or friends have an interest, and care must be taken to avoid being placed, or appearing to be placed, under obligation to any person or organization that might profit from special consideration by the employee;
- o) disclose to their immediate supervisor that an employee’s spouse or dependent children have a contract or agreement with the Public Schools Branch unless the contract or agreement has been awarded by open public tender; and
- p) in the event of uncertainty as to whether a conflict or potential conflict exists, err on the side of caution and report the matter to their supervisor or Director of Human Resources.

6.0 CONFIDENTIALITY

- 6.1 Information concerning the private interest of an employee which is provided to a supervisor shall be treated in complete confidence subject to the disclosure requirements established by law.

7.0 FAILURE TO COMPLY

- 7.1 An employee who fails to comply with the conflict of interest policy and procedure shall be subject to appropriate disciplinary action, up to and including dismissal.

8.0 CROSS REFERENCE

- 8.1 Operational Policy 506 – Employee Conflict of Interest
- 8.2 Appendix A – Conflict of Interest Report
- 8.3 Appendix B – Conflict of Interest Checklist

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