

Administrative Procedure 415

CONFLICT OF INTEREST

Background

Employees of the Division in the performance of their roles and responsibilities are prohibited from being in a position of a conflict of interest. The school division endeavours to maintain an unimpeachable standard of integrity in all of its business relationships.

Procedures

1. Employee refers to all persons who are currently engaged in active service with the Division regardless of the employer-employee relationship.
2. Conflict of interest is defined as any direct or indirect interest in, connection with, or benefit from outside activities, especially business activities in which involvement might adversely affect the Division or benefit the employee directly or indirectly as a result of the employee's position or connection with the Division.
3. "Family member" shall have the same meaning as a "related person" defined under *The [Income Tax Act](#)* and includes a spouse, child, grandchild, parent, grandparent, parent-in-law, son-in-law, daughter-in-law, brother, sister, brother-in-law, sister-in-law, or anyone for whom the employee stands in loco parentis.
4. Employees the Division shall be knowledgeable of the Code of Ethics of their respective association.
5. Employees of the Division shall remain free of any such obligation, interests or distraction that may adversely affect or interfere with the employee's judgement and/or objectivity in the performance of duty as an employee of the Division.
6. With respect to business transactions, Division employees:
 - 6.1 Shall not use their position or special knowledge to gain an advantage not otherwise available to members of the general public;
 - 6.2 Shall not grant any special consideration, treatment, or advantage relative to the business of the Division to any individual, organization, or corporation beyond that which is available to every other individual, organization, or corporation;
 - 6.3 Shall not engage in outside activities, for which compensation is received, during regular working hours or accept outside employment or unpaid positions that places them in a conflict of interest;
 - 6.4 Shall not sell products or services from outside activities to the Division;
 - 6.5 Shall not use the property (including automated resources), equipment, resources (including financial, technical and human resources), or facilities (including communications channels) of the Division to promote or benefit personal business or political interests unless prior approval has been obtained in writing from the Director; or

- 6.6 Shall not accept any gift of benefit, whether in the form of goods, services, loans, or favours, from any individual organization or corporation which is intent on securing business transactions, either directly or indirectly, with the Division, subject to the 'normal exchange of hospitality' between persons doing business together. The Director shall define "normal exchange of hospitality" in individual circumstances. Where there is any question the employee shall seek direction from the Director.
7. With respect to family members and personal associates, employees of the Division:
- 7.1 Shall not hire a family member to work for them directly in any capacity;
 - 7.2 Shall not be precluded from hiring staff who is a member of another employee's family; and
 - 7.3 Shall not be precluded from supervising, either directly or indirectly, a family member.
8. All resources developed by an employee of the Division in the course of their employment or provided by third parties shall be considered as property of the Division. This requirement extends to information held on magnetic media which places the Division in breach of copyright laws is strictly prohibited.
9. Goods and services provided by outside vendors, which in turn will be sold to students either by direct sale or through payment of school fees, will be awarded through an official tender process.
10. Employees who become aware they are in a potential or actual conflict of interest have a duty to notify their supervisor immediately.
11. Where unique circumstances exist within a business relationship, employees of the Division shall request a conflict of interest ruling from the Director.
12. Violation of this policy by employees constitutes grounds for disciplinary action up to and including dismissal of the employee.

Reference: *Income Tax Act*

Approved: *May 12, 2014*