

STANDARDS OF CONDUCT FOR DISTRICT EMPLOYEES

Background

The highest standards of conduct among District employees are essential to meeting the requirements of the *School Act* and to maintaining and enhancing the public's trust and confidence in public education.

The requirement to comply with these standards of conduct is a condition of employment. Employees who fail to comply with these standards may be subject to disciplinary action up to and including dismissal. Employees are to contact the Director, Human Resources for advice and assistance on the interpretation or application of this Administrative Procedure.

Procedures

Mandatory Requirements

1. Loyalty

- 1.1 District employees have a duty of loyalty to the District as their employer. The duty of loyalty requires District employees, irrespective of political preferences or affiliations, to serve the District to the best of their ability. The honesty and integrity of the District demands that the impartiality of employees, in the conduct of their duties, be above suspicion. Employees' conduct is to instill confidence and trust and must not bring the District into disrepute.

2. Confidentiality

- 2.1 Confidential information that employees receive through their employment must not be divulged to anyone other than persons who are authorized to receive the information. Employees who are in doubt as to whether certain information is confidential must ask the appropriate authority before disclosing it. Caution and discretion in handling confidential information extends to disclosure made inside and outside of the District and continues to apply after the employment relationship ceases.
- 2.2 Confidential information that employees receive through their employment must not be used by an employee for the purpose of furthering any private interest, or as a means of making personal gains. See the Conflicts of Interest section of this Administrative Procedure for details.

3. Public Comments

- 3.1 District employees are free to comment on public issues but must exercise caution to ensure, that by doing so, they do not jeopardize the perception of impartiality in the performance of their duties. For this reason, care is to be taken in making comments or entering into public debate regarding District policies or administrative procedures. District employees must not use their position in the District to lend weight to the public expression of their personal opinions.

4. Political Activity

- 4.1 Public service employees are free to participate in political activities including belonging to a political party, supporting a candidate for elected office and actively seeking elected office. Employees' political activities, however, must be clearly separated from activities related to their employment. If engaging in political activities, employees must be able to retain the perception of impartiality in relation to their duties and responsibilities.
- 4.2 Employees must not engage in political activities during working hours or use District facilities, equipment or resources in support of these activities. Partisan politics at the local, provincial or national levels are not to be introduced into the workplace.
- 4.3 This does not apply to informal private discussions among co-workers.

5. Service to Students and the Public

- 5.1 District employees must provide service to the students and to the public in a manner that is courteous, professional, equitable, efficient and effective.
- 5.2 Employees must be sensitive and responsive to the changing needs, expectations and rights of a diverse student body and public while respecting the legislative framework within which service to the public is provided.

6. Workplace Behaviour

- 6.1 The conduct and language of District employees in the workplace must meet acceptable social standards and must contribute to a positive work environment. An employee's conduct must not compromise the integrity of the District. Employees are to treat each other in the workplace with respect and dignity and must not engage in discrimination or harassment based on any of the prohibited grounds covered by the Human Rights Code. The prohibited grounds are race, colour, ancestry, place of origin, religion, family status, marital status, physical disability, mental disability, sex, sexual orientation, age, political belief or conviction of a criminal or summary offence unrelated to the individual's employment. Employees and supervisors are to refer to Administrative Procedure 170 – Harassment/Sexual Harassment and Administrative Procedure 173 – Diversity and Anti-discrimination for additional information on appropriate workplace behaviour.

7. Conflicts of Interest

- 7.1 A conflict of interest occurs 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:
- 7.1.1 The employee's ability to act in the public interest could be impaired; or
 - 7.1.2 The employee's actions or conduct could undermine or compromise:
 - 7.1.2.1 The public's confidence in the employee's ability to discharge work responsibilities, or
 - 7.1.2.2 The trust that the public places in the District.
- 7.2 While the District recognizes the right of District employees to be involved in activities as citizens of the community, conflict must not exist between employees' private interests and the discharge of their public service duties. Upon appointment to 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.
- 7.3 Employees with questions regarding interpretation of this Administrative Procedure may discuss them with the designated District contact. Employees who find themselves in an actual, perceived or potential conflict of interest must disclose the matter to the designated District contact or their supervisor. Employees who fail to disclose may be subject to disciplinary action up to and including dismissal.
- 7.4 Examples of conflicts of interest include, but are not limited to, the following:
- 7.4.1 An employee uses District property or the employee's position, office or District affiliation to pursue personal interests;
 - 7.4.2 An employee is in a situation where the employee is under obligation to a person who might benefit from or seek to gain special consideration or favour,
 - 7.4.3 An employee, in the performance of official duties, gives preferential treatment to an individual, corporation or organization, including a non-profit organization, in which the employee, or a relative or friend of the employee, has an interest, financial or otherwise;
 - 7.4.4 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;
 - 7.4.5 An employee benefits from, or is reasonably perceived by the public to have benefited from, a District transaction over which the employee can influence decisions (for example. investments, sales, purchases, borrowing, grants, contracts, regulatory or discretionary approvals, appointments)

- 7.4.6 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:
 - 7.4.6.1 The exchange of hospitality between persons doing business together,
 - 7.4.6.2 Tokens exchanged as part of protocol,
 - 7.4.6.3 The normal presentation of gifts to persons participating in public functions, or
 - 7.4.6.4 The normal exchange of gifts between friends.
- 7.4.7 An employee solicits or accepts gifts, donations or free services for work-related leisure activities other than in situations outlined above.

8. Allegations of Wrongdoing

- 8.1 Employees have a duty to report any situation that they believe contravenes the law, misuses District funds or assets, or represents a danger to student or employee public health and safety or represents a significant danger to the environment.
 - 8.1.1 Employees can expect such matters to be treated in confidence, unless disclosure of information is authorized or required by law (for example, the Freedom of Information and Protection of Privacy Act).
 - 8.1.2 Employees will not be subject to discipline or reprisal for bringing forward to an administrator or supervisor, in good faith, allegations of wrongdoing in accordance with this Administrative Procedure.
 - 8.1.3 Employees and supervisors who have reason to believe that a child has been abused by and/or is in the need of protection from an employee or other person must report in accordance with Administrative Procedure 325 - Reporting Suspected Cases of Child Abuse.
- 8.2 Employees must report other allegations or concerns to their supervisor who will acknowledge receipt of the submission, investigate the matter and inform the complainant when the investigation has been completed. When an allegation involves the supervisor, the employee must forward the allegation to the Superintendent.
 - 8.2.1 Employees must report a safety hazard or unsafe condition or act in accordance with the provisions of Sections 8.10 and 8.24 of the WCB Occupational Health and Safety Regulations.
 - 8.2.2 Where an employee believes that the matter has not been resolved by the Superintendent, the employee may then refer the allegation to the appropriate authority.

8.2.3 If the employee decides to pursue the matter further, then:

8.2.3.1 Allegations of illegal activity or of a misuse of public funds must be referred to the police;

8.2.3.2 Allegations of a danger to the health and safety of students, staff or public must be brought to the attention of health authorities.

9. Legal Proceedings

9.1 Employees must not sign affidavits relating to facts that have come to their knowledge in the course of their duties for use in court proceedings unless the affidavit has been prepared by a lawyer acting for the District in that proceeding.

9.1.1 In the case of affidavits required for use in arbitrations or other proceedings related to employee relations, the Director, Human Resources will obtain any necessary approvals.

9.1.2 Employees are obliged to cooperate with lawyers defending the District's interest during legal proceedings. A written opinion prepared on behalf of the District by any legal counsel is to be treated as subject to solicitor/client privilege and is, therefore, confidential. Such an opinion is not to be released to persons outside the District without prior written approval by the Superintendent.

10. Working Relationships

10.1 Employees who are direct relatives or who permanently reside together may not be employed in situations where:

10.1.1 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

10.1.2 The working relationship affords an opportunity for collusion between the two employees that would have a detrimental effect on the District's interest.

10.2 The above restriction on working relationships may be waived provided that the Superintendent is satisfied that sufficient safeguards are in place to ensure that the Employer's interests are not compromised.

11. Personnel Decisions

11.1 Employees are to disqualify themselves as participants in personnel decisions when their objectivity would be compromised for any reason or a benefit or perceived benefit could accrue to them. For example, employees are not to participate in staffing actions involving direct relatives or; persons living in the same household.

12. Outside Remunerative and Volunteer Work

12.1 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 provided it does not:

12.1.1 Interfere with the performance of their duties as a District employee;

12.1.2 Bring the District into disrepute;

12.1.3 Represent a conflict of interest or create the reasonable perception of a conflict of interest:

12.1.4 Appear to be an official act or to represent District opinion or policy;

12.1.5 Involve the unauthorized use of work time or District premises, services, equipment or supplies to which they have access by virtue of their District employment; and

12.1.6 Gain an advantage that is derived from their employment as a District employee.

12.2 Employees who have questions or concerns regarding their particular situations, are encouraged to contact their supervisor or the Director, Human Resources for advice and assistance.

*Reference: Sections 17, 18, 20, 22, 23, 65, 85 School Act
Freedom of Information and Protection of Privacy Act
Human Rights Act
Occupational Health and Safety Regulations
School Regulation 265/89
Collective Agreements*

SD No. 40 (New Westminster)

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Modification to this document is not permitted without prior written consent from SD No. 40 (New Westminster)