

EMPLOYEE CODE OF CONDUCT

POLICY

The Rainy River District School Board will hold its employees to the highest standard of integrity, ethics, honesty and diligence in the performance of their duties, acting at all times in a manner that will bear the closest public scrutiny.

RATIONALE

Our employees are role models for the students that they support.

IMPLEMENTATION

Per relevant procedures and policy guidelines.

GUIDELINES

1.0 General Expectations

- 1.1 This policy applies to all Rainy River District School Board employees and works in concert with other policies, codes of conduct, or applicable standards of professional practice. Employees shall direct questions about this Policy and its application to their supervisor.
- 1.2 Behavioral expectations cannot cover all scenarios but provide guidance in day-to-day decisions. All employees shall:
 - comply with the Board Code of Conduct.
 - contribute to a safe and healthy workplace that is free from discrimination, harassment, or violence.
 - conduct themselves in an open, honest, and transparent manner that values diversity and encourages engagement, collaboration, and respectful communication.
 - be stewards of public resources.
 - report any suspected breach of this code of conduct.
- 1.3 When communicating, it is the responsibility of all employees to:
 - be respectful of the Board's mission and policies, programs and initiatives, schools, fellow employees, parents/guardians, students, and community.
 - maintain all expectations of privacy and confidentiality.
 - direct concerns through the appropriate channels.
 - strive for continuous effective dialogue with fellow employees and the community.
 - ensure communication is of the highest quality.

2.0 Legal Compliance

- 2.1 All employees will comply with the letter and spirit of all federal and provincial laws.

-
- 2.2 Employees will comply with all contractual obligations resulting from the employees' duties, employment or employment duties and/or any contractual obligations of the Board.
- 2.2 Employees shall not at any time take any action that they know or reasonably should know, violates any applicable law or regulation.
- 2.3 No employee shall withhold information or knowingly mislead members of the Board, officers, supervisors, parents/guardians, students or the public. Employees are responsible to ensure that all information communicated in the course of their duties is accurate and complete.
- 2.4 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 their employment duties, from time to time.
- 2.5 All employees are responsible for immediately reporting to an appropriate supervisor any suspected illegal behavior.
- 3.0 Conflict of Interest**
- 3.1 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.
- 3.2 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 by:
- a) maintaining the highest 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 and 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 federal and provincial laws; and
 - contractual obligations applicable to the individual and the Board.
 - e) rejecting and denouncing any business practice that is improper or inappropriate or may reasonably appear to be improper or inappropriate.
- 3.3 An employee must not engage or participate in any outside employment, business or commercial undertaking (paid or volunteer) that interferes with the performance of their 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 economic, financial or commercial information gained by the employee from employment with the Board.

-
- 3.4 An employee shall not use their 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.
- 3.5 An employee must not participate in any decision or recommendation in which they or a relative, friend or business associate may have a financial, commercial or business interest.

Disclosing Conflict of Interest

- 3.6 Where a conflict of interest arises, or when a potential conflict of interest emerges, the employee has a duty to inform their immediate supervisor of any and all relevant facts concerning the situation. The Director of Education shall disclose a conflict of interest or potential conflict of interest to the Chair of the Board. Superintendents shall disclose a conflict of interest or potential conflict of interest to the Director of Education. All other employees shall disclose a conflict of interest or potential conflict of interest to their immediate Supervisor. Where a conflict is disclosed, it must be evaluated, and an appropriate mitigating action must be taken.
- 3.7 Any personal interest that may impact or might reasonably be deemed by others to impact an employee's impartiality or judgment in any matter relevant to their duties, shall be declared to the employee's immediate supervisor, and in the case of the Director, to the Chair of the Board. If a conflict of interest has occurred, then the immediate Supervisor shall contact the Human Resources Department for appropriate review/investigation.
- 3.8 Employees are required to act in compliance with the Board Procurement Policy and Procedure 8.09, which includes the Supply Chain Code of Ethics.

4.0 Confidentiality

- 4.1 All employees acknowledge that, as part of their duties to the Board, they may have access to private and confidential information that may provide a financial, economic, commercial or competitive advantage.

The confidentiality of business/corporate information received in the course of duties must be respected, and shall not be used for personal gain. Information given while fulfilling employment duties shall be true and fair and not designed to mislead. For example, it is considered unethical and damaging to the Board's reputation to allow a 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.

Except as may be required by the law, or otherwise by a competent authority, all employees and former employees shall not use, directly or indirectly, for their 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 their 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.

- 4.2 All employees acknowledge that, as part of their duties to the Board, they may have access to and be aware of private and confidential personnel and student/family information.

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

Except as may be required by law, or otherwise by a competent authority, and in accordance with the Municipal Freedom of Information and Protection of Privacy Act, all employees shall not 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 their duties with the Board.

The confidentiality of personal/educational student and family information received in the course of duties must be respected, protected and kept confidential. Information received shall 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.

Except as may be required by law, or otherwise by a competent authority, and in accordance with the Education Act and Municipal Freedom of Information and Protection of Privacy Act, all employees shall not 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 their duties with the Board.

5.0 Hospitality, Gifts, Gratuities or Favors

- 5.1 Offering or accepting gifts, gratuities, or favours could be mistaken for preferential treatment and/or improper payment and could influence or appear to influence business decisions.

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

- 5.2 No employee shall accept gifts of considerable value from suppliers of goods and services to the Board. Examples of acceptable gifts for employees include:

- holiday gifts, such as fruit baskets or candy
- inexpensive advertising and promotional materials (e.g., giveaways, such as pens or key chains)
- inexpensive awards to recognize service and accomplishments in civic, charitable, or educational organizations (such as nominal gift certificates/cards).

- 5.3 Employees who are involved in supply chain activities with suppliers shall not receive gifts, gratuities, or favours from those suppliers at any time.

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

- the employee believes that the donor is not trying to obligate them, or improperly influence a decision; and,

- 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.

5.5 If there is any uncertainty regarding what is considered an appropriate gift to give or receive, this should be discussed with their immediate supervisor.

Honoraria

5.6 Senior management, school administrators, managers and supervisors are not allowed to receive honoraria, gift certificates/cards 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 was conducted on personal time. Honoraria of a significant nature (in excess of \$200.00, exclusive of HST) must be reported.

Reporting

5.7 All employees must notify their immediate Supervisor of any gifts, honoraria, hospitality and/or favours received over \$200.00 (exclusive of HST) and complete the Reporting of Gifts over \$200 form. Superintendents must notify the Director of Education. The Director of Education must notify the Chair of the Board.

5.8 The immediate supervisor shall complete their section of the Reporting of Gifts over \$200 form, and then forward the completed form to the office of the Executive Officer of Employee and Labour Relations, for retention purposes.

6.0 Separation from the Board

Pre-Separation

6.1 Employees considering a new offer of appointment or employment must be aware of and manage any potential conflicts of interest between their current position and their future circumstance and must remove themselves from any decisions that create a conflict of interest.

Post-Separation

6.2 Once employees have left the Board, they must not disclose or use confidential information that they became aware of during their time with the Board in conformity with the requirements set out in Board policies and procedures.

7.0 Use of Board Resources

7.1 No employee shall use Board resources for personal gain, or in a manner which would incur additional expenses to the Board. No employee shall permit relatives, friends and/or business associates to use Board resources.

7.2 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.

8.0 Reporting

8.1 All employees are responsible for immediately reporting to an immediate supervisor, or to the appropriate Board supervisor, any suspected illegal behaviour and/or behaviour by another employee, including a third-party employee, that contravenes this or any policy of the Board. Reporting for Superintendents is to the Director of Education; reporting for the Director of Education is to the Chair of the Board.

8.2 The Board shall make every effort to ensure that an individual, who in good faith reports under this policy, is protected from harassment, retaliation or adverse employment consequence.

Anyone who retaliates against someone who has reported in good faith is subject to discipline, up to and including dismissal.

An individual who makes an unsubstantiated report, which is knowingly false, or made with vexatious or malicious intent, will be subject to discipline, up to and including dismissal.

8.3 An employee who fails to comply with the terms of this policy may be subject to disciplinary action, up to and including, dismissal.

DEFINITIONS

Bias means and includes an inclination; bent; preconceived opinion; and a predisposition to decide a cause or an issue in a certain way, which does not leave the mind perfectly open to objectively treat all matters fairly and equally.

Broader Public Sector Procurement Directive means the Broader Public Sector Procurement Directive issued by the Management Board of Cabinet, effective July 1, 2011, as same may be amended from time to time.

Conflict of interest means and includes a situation in which financial or other personal considerations have the potential to compromise or bias professional judgment and objectivity. An apparent conflict of interest is one in which a reasonable person would think that the employee's judgment is likely to be compromised. A conflict of interest may exist 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.

Economic, financial or commercial advantage means the receipt, or expectation of receipt, of anything of value by either an employee of the Board, or a relative, friend and/or business associate of the employee resulting from a personal relationship.

Employees include student teachers and other student placements, as well as employees of third-party service providers.

Favour means any act on the part of a Supplier for the benefit of an employee or a relative, friend and/or business associate of the employee which may be perceived as having been made with a view to influencing process.

Mitigating action means and includes an action to avoid, minimize, reduce, eliminate or rectify a conflict of interest.

Moral Rights are rights of creators of copyrighted works generally recognized in civil law jurisdictions and, to a lesser extent, in some common law jurisdictions. They include the right of attribution, the right to have a work published anonymously or pseudonymously, and the right to the integrity of the work.

Personal gain is something that as a result of their position with the Board, an employee gains for themselves and could include something gained for a friend, an immediate family member or a business associate.

Preferential treatment includes unfairly affording opportunities to one or more suppliers at the expense of all other suppliers that are eligible to participate in the opportunities.

Supplier includes any person or organization that, based on an assessment of that person's or organization's financial, technical and commercial capacity, is capable of fulfilling the requirements of the Board's procurement of goods and/or services.

Supply Chain Activities means and includes all activities directly or indirectly related to the Board's planning, sourcing, procurement, moving, and payment processes. Budgeting, planning and requesting, as well as the approval and processing of the acquisition for goods and services are all Supply Chain Activities.

CROSS-REFERENCES

Policies:

- 2.07 Responding to Concerns
- 2.64 Digital Citizenship and Electronic
- 2.80 Freedom of Information and Protection of Privacy
- 3.02 Progressive Discipline for Employees
- 4.16 Safe Schools
- 8.09 Procurement
- 8.40 Fraud Prevention and Management

Procedures:

- 2.64 Digital Citizenship

Legal/Ministry of Education:

- *Municipal Freedom of Information and Protection of Privacy Act*
- *Education Act, s.217*
- Personal Health Information Protection Act
- Ontario Student Record Guideline (OSR Guideline)
- Employment Standards Act
- Occupational Health and Safety Act
- Workplace Safety and Insurance Act
- Broader Sector Procurement Guidelines

APPENDIX A: Supply Chain Code of Ethics

Goal: To ensure an ethical, professional and accountable BPS supply chain.

I. Personal Integrity and Professionalism

Individuals involved with Supply Chain Activities must act, and be seen to act, with integrity and professionalism. Honesty, care and due diligence must be integral to all Supply Chain Activities within and between BPS organizations, suppliers and other stakeholders. Respect must be demonstrated for each other and for the environment. Confidential information must be safeguarded. Participants must not engage in any activity that may create, or appear to create, a conflict of interest, such as accepting gifts or favours, providing preferential treatment, or publicly endorsing suppliers or products.

II. Accountability and Transparency

Supply Chain Activities must be open and accountable. In particular, contracting and purchasing activities must be fair, transparent and conducted with a view to obtaining the best value for public money. All participants must ensure that public sector resources are used in a responsible, efficient and effective manner.

III. Compliance and Continuous Improvement

Individuals involved with purchasing or other Supply Chain Activities must comply with this Code of Ethics and the laws of Canada and Ontario. Individuals should continuously work to improve supply chain policies and procedures, to improve their supply chain knowledge and skill levels, and to share leading practices.