



## **ADMINISTRATIVE PROCEDURES**

### **HIRING AND PROMOTION OF STAFF – CONFLICT OF INTEREST (Policy Statement: Hiring and Promotion of Staff – Conflict of Interest)**

#### **Purpose**

This procedure is intended to facilitate Employees' ability to maintain the highest business and ethical standards, and to facilitate the protection of the integrity of Employees in the course of their hiring and promotion responsibilities to the Algonquin and Lakeshore Catholic District School Board.

The procedure will define and address potential, apparent and actual conflicts of interest. It provides guidance to Employees so that conflicts of interest are recognized and either avoided or resolved expeditiously through appropriate disclosure and management.

#### **References**

*Ontario Human Rights Code*

*Policy/Program Memorandum (PPM) No. 165 "Teacher Hiring Practices"*

*Policy/Program Memorandum (PPM) No. 119 "Developing and Implementing Equity and Inclusive Education Policies in Ontario Schools"*

#### **Procedures**

##### **1. Definitions**

- 1.1 Conflict of interest means a potential, apparent, or actual conflict where an Employee's financial or other personal interest, whether direct or indirect, conflicts or appears to conflict with the Employee's responsibility to the Board, or with the Employee's participation in any recommendation or decision pertaining to hiring or promotion.
- 1.2 Employee means full-time or part-time Employees of the Algonquin and Lakeshore Catholic District School Board.
- 1.3 External Activity means any activity of an Employee outside the scope of their employment with the Algonquin and Lakeshore Catholic District School Board undertaken as part of a commercial or volunteer enterprise.

- 1.4 Relationship means any relationship of the Employee to persons of his or her immediate family whether related by blood, adoption, marriage, or common-law relationship, and any relationship of an intimate and/or financial nature during the preceding five years, any student-supervisor relationship, or any other past or present relationship that may give rise to a reasonable apprehension of bias.
- 1.5 Supervisor means the person to whom an Employee reports.

## **2. Specific Conflicts**

Without limiting the generality of this policy, the following circumstances may give rise to Conflicts of Interest:

- 2.1 participating in, or influencing the outcome of the appointment, hiring, promotion, supervision, or evaluation of a person with whom the Employee has, or had had, a Relationship;
- 2.2 acceptance by an Employee of a gift from any of the following persons or entities if a reasonable person might conclude that the gift could influence the employee when performing hiring duties with the School Board:
  - a) a person, group, or entity that has dealings with the School Board;
  - b) a person, group, or entity to whom the Employee provides services in the course of his or her duties to the School Board;
  - c) a person, group, or entity that seeks to do business with the School Board.

An Employee who is offered a gift in the circumstances described in 2.2 above shall, in writing, notify his or her Supervisor.

## **3. Procedures for Disclosure of Conflicts of Interest**

- 3.1 All Employees have an obligation to disclose to their Supervisor or the Director of Education any Conflict of Interest. The Employee must disclose in writing as soon as she/he could reasonably be aware that a Conflict of Interest exists. The existence of a Conflict of Interest does not necessarily preclude involvement in the issue which has given rise to the Conflict ("the Matter"). The Employee must declare, in writing, the nature and extent of the Conflict of Interest no later than any meeting or process in which the Employee participates and at which the Matter is to be considered. The Employee must refrain from taking part in any discussion or decision-making in relation to the Matter, and withdraw from any meeting or process when the Matter is being discussed until a decision has been reached regarding the manner in which the Conflict of Interest will be addressed.

- 3.2 A Conflict of Interest involving an Employee may also be reported to a Supervisor by any other person. A report to a Supervisor about the existence of a potential, apparent or actual conflict of interest shall be made in writing.

#### **4. Procedures for Management of Conflicts of Interest**

- 4.1 If the Supervisor or Director of Education to whom the disclosure is made also has a Conflict of Interest, the disclosure should be made in writing to the person at the next highest level of authority.
- 4.2 The Supervisor or Director of Education will investigate to determine if a Conflict of Interest exists. Where appropriate, the Supervisor or Director of Education may consult with the Employee and/or others.
- 4.3 If the Supervisor or Director of Education determines there is a Conflict of Interest, the Supervisor or Director of Education should resolve the matter as per section 5 below and shall document, in writing, any remedies that have been applied.

#### **5. Options for Resolving Conflicts of Interest**

- 5.1 If a Supervisor or Director of Education determines that a Conflict of Interest exists, the Supervisor or Director of Education will decide a course of action from the following options:
- i) If the Matter pertains to paragraph 2 above, and where the Employee may be knowledgeable and have information central to the discussion, the Employee with a Conflict or appearance of Conflict may be permitted to be involved in the Matter without participating in the final decision described in paragraph 4 I above,
  - ii) If an Employee fails to disclose a Conflict as per paragraph 3 above, a range of remedies can be applied, up to and including the termination of employment.

#### **6. Supervision of Relatives**

- 6.1 An employee shall disclose to the Superintendent of Human Resources where they are assigned to work in a supervisory relationship with a family member and/or close relative. It is the responsibility of employees to declare a conflict to their supervisor or manager when a family relationship develops that places them in a supervisory relationship.

#### **7. Contraventions of this Policy**

Adherence to this Policy, in letter and in spirit, is crucial to the relationships of trust that exist between the Board, its Employees, and the public. Contraventions of this Policy, whether arising from dishonesty or

inattention, undermine these relationships and may lead to disciplinary action. For Employees, disciplinary sanctions for breach of this policy may take a range of forms appropriate to the nature of the contravention and could include dismissal from employment.

**Appendices**

**Forms**

**Associated Documents**

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