

Code of Conduct Policy of Bow Valley College

PREAMBLE

Bow Valley College expects all members of the College community to engage in ethical behavior in all aspects of College-related activities. All Employees and Board Members are expected to share in preserving and enhancing the College's image and reputation.

The College is committed to high standards of conduct and ethical practices. This Code of Conduct establishes expectations and conditions for appropriate conduct of our day-to-day work activities and relationships. The objective is having Employee and Board conduct of the highest ethical calibre.

As a publicly funded institution, we recognize the people of Alberta have a right to postsecondary educational services that are conducted with impartiality and integrity. It is this special obligation to the College that demands that there not be, nor seem to be, any conflict between the private interests of Employees and Board Members and their duty to act in the best interest of the College. At the same time, it is recognized that Employees and Board Members should enjoy the same rights in their private dealings as any other citizens unless it can be demonstrated that a restriction is essential to the public interest.

PART 1

1. Definitions

- (1) For purposes of this Code, unless the context otherwise requires,
 - (a) "**Act**" means the *Conflicts of Interest Act* (Alberta), as amended by the *Conflicts of Interest Amendment Act, 2017* (Alberta), and thereafter as amended from time to time, and all related regulations;
 - (b) an "**apparent conflict of interest**" exists if there is a reasonable perception, which a reasonably well informed person could properly have, that the Employee's or Board Member's ability to exercise that Employee's or Board Member's duties may have been affected by their private interest;
 - (c) "**applicable privacy legislation**" means the *Freedom of Information and Protection of Privacy Act* (Alberta), as amended from time to time and all other privacy-related legislation, regulations, Orders in Council, rules and guidelines to which the College is subject;
 - (d) "**Associate Vice President**" means the Associate Vice President, Human Resources, of the College;
 - (e) "**Benefit**" means a financial or personal benefit to an individual Employee or Board Member, other than a benefit that is applicable to a group of individuals within the College or is inconsequential;

- (f) **“Board Chair”** means the Chair of the Board of Governors as selected by the members of the Board of Governors of Bow Valley College or as appointed Chair of the Board of Governors of Bow Valley College by the Government of Alberta (as the case may be);
- (g) **“Board Member”** is anyone appointed by the Government of Alberta to the Bow Valley College Board of Governors or a committee of the Board of Governors;
- (h) **“Chief Financial Officer”** means the chief financial officer of the College;
- (i) **“Code”** means this Code of Conduct for the College, as amended from time to time;
- (j) **“College”** means Bow Valley College;
- (k) **“College Resources”** means the tangible and intangible assets of the College, including Intellectual Property (as defined in section 18);
- (l) **“Compliance Officer”** means the Chief Financial Officer;
- (m) **“Conflict of Commitment”** exists when the outside employment or activities of an Employee or Board Member adversely affects their capacity to fulfil their College responsibilities (including their ability for informed and balanced decision making) and includes conflicts where the interests of the outside boards, committees, organizations and entities are not aligned with the interests of the College;
- (n) a **“Conflict of Interest”** exists when:
 - (i) an individual takes part in a decision in the course of carrying out their College responsibilities, where they know or ought to know that the decision may result in a real or perceived Benefit to them, a Family Member, or a Related Entity of the individual;
 - (ii) an individual uses their position with the College to influence or seek to influence a College decision, which they know or ought to know may result in a real or perceived Benefit to them, a Family Member, or a Related Entity of the individual;
 - or
 - (iii) an individual communicates information that they know or ought to know is not available to the general public and is obtained by the individual in the course of carrying out their College responsibilities or as a result of their College position to obtain or seek a Benefit for the individual or a Family Member, or a Related Entity of the individual;
- (o) **“Dean”** means the Dean of the department in which the Employee works;
- (p) **“Director”** means the director of the department in which the Employee works;

- (q) **“Employee”** includes individuals engaged to perform a service at Bow Valley College, in accordance with existing terms and conditions of employment, employment contracts or collective agreements, and includes the President and Chief Executive Officer;
- (r) **“Ethics Commissioner”** means the individual appointed by the Government of Alberta to serve as the Ethics Commissioner;
- (s) **“Family Member”** means a parent, sibling, child, or spouse of the individual;
- (t) **“Incidental personal use”** means activities performed on College information technology resources that are not related to college business.
- (u) **“minor children”** mean the children of any individual to whom Appendix A of this Code applies who are under the age of 18 years;
- (v) the **“private interest”** of an Employee or Board Member (as the context requires) means a financial or personal interest of the Employee, but does not include an interest:
 - (i) in a matter that is of general application; or
 - (ii) that affects the Employee as one of a broad class of the public; or
 - (iii) that affects the compensation or benefits of an Employee; or
 - (iv) an interest that is trivial;
- (w) **“President and Chief Executive Officer”** means the President and Chief Executive Officer of the College;
- (x) **“Protected Disclosure Procedure”** means the protected disclosure procedure adopted by the College in November 2013, as amended from time to time;
- (y) **“Related Entity”** means
 - (i) a spouse or adult interdependent partner of the individual
 - (ii) a for-profit corporation with share capital of which the individual is a director or senior officer;
 - (iii) a private corporation carrying on business for profit of which the individual is the beneficial owner of shares, except an association defined in the Co-operatives Associations Act or a cooperative as defined in the Cooperatives Act, a credit union incorporated under the Credit Union Act, a co-operative credit society incorporated by or under an Act of the Parliament of Canada or the United Farmers of Alberta Cooperative Limited;

- (iv) a partnership of which the individual is a partner or of which one of the partners is directly associated with the individual by reason of (ii) or (iii); or
- (v) a person or group of persons acting with the express or implied consent of the individual.

- (z) **“Reprisal”** means retaliatory measures that are taken against an individual because the individual has sought advice about making a disclosure; filed a report of a potential breach of this Code in good faith; cooperated with the investigation of the potential breach; or declined to participate in a situation that formed the basis for the potential breach of this Code;

- (aa) **“spouse”** includes a party to a relationship who is living together with another person on a bona fide domestic basis, but does not include a spouse who is living apart from the employee if the employee and spouse have separated pursuant to a written separation agreement or if their support obligations and family property have been dealt with by a court order; and

- (bb) **“Vice President”**, unless specifically identified means, the Vice President responsible for the department in which the Employee works.

PART 2

Application of the Code

2. General

- (1) All provisions of the Code come into effect on May 30, 2019, unless otherwise expressly set out at the beginning of a particular provision in this Code.
- (2) This Code applies to all Employees, including the President and Chief Executive Officer.
- (3) This Code also applies to all Board Members, except where the Board Members are expressly not included or exempted.

PART 3

Administration of the Code

3. Executive Committee Responsibility

- (1) The Code will be administered by the Chief Financial Officer who also serves as the Compliance Officer for the College. Any questions regarding the interpretation or application of this Code are to be directed to the Chief Financial Officer.
- (2) Reviews under this Code will be brought to the Chief Financial Officer who will consult with the Associate Vice President and legal counsel as appropriate. Employees and Board Members must follow the processes set out in the Protected Disclosure Procedure to launch a formal review.

4. Department Responsibility

- (1) The Dean and Director of each department, along with the Vice President responsible for the department, will administer the Code for their department, and will issue instructions as necessary for implementation of the Code.
- (2) The Chief Financial Officer and the Associate Vice President will promote the Code on a regular basis to ensure the Vice Presidents, and the President and Chief Executive Officer are aware of their obligations.
- (3) The Board Chair and the President and Chief Executive Officer, working together, will promote the Code on a regular basis to ensure the Board Members are aware of their obligations.

PART 4

Responsibilities Under The Code

The following section refers to general and specific responsibilities of Employees and Board Members. Any special obligations, which apply to the President and Chief Executive Officer, and Board Chair only, are outlined in Appendix A of this Code.

General Employee and Board Member Responsibilities

5. Impartiality

- (1) Employees and Board Members are required in all regards to conduct their duties with impartiality.

6. Disclosure

- (1) Employees are required to disclose, to their Dean, Director, or Vice President or their designates, any situation involving them that is a Conflict of Interest, Conflict of Commitment or an apparent conflict of interest.
- (2) The Vice Presidents are required to disclose to the President and Chief Executive Officer or designate any situation involving them that is a Conflict of Interest, Conflict of Commitment, or an apparent conflict of interest.
- (3) Board Members are required to disclose to the Board Chair or designate any situation involving them that is a Conflict of Interest, Conflict of Commitment or an apparent conflict of interest.
- (4) The Board Chair and the President and Chief Executive Officer shall, so far as it is known to them, disclose and discuss with the Human Resources Committee of the Board of Governors, situations that may be a Conflict of Interest, Conflict of Commitment or apparent conflict of interest.

7. Requirement for Confidentiality

- (1) Any Employee or Board Member privy to confidential, personal or proprietary information is prohibited from communicating such information to someone else, unless they have been

authorized to do so and such communication is necessary to do so in the course of their duty. Efforts must be made to limit access to confidential, personal or proprietary information to only those who need to know the information and those persons are to be advised that the information is to be kept confidential.

- (2) Outside persons privy to confidential information are to be informed, preferably in writing, that they must not divulge this information to anyone else, other than is necessary for them to carry on their work or association with the College.
- (3) Confidential, personal and proprietary information received, collected by or which an Employee or Board Member has accessed in the course of their duty shall be protected and treated in accordance with applicable privacy legislation and shall not be used for personal gain.

8. Requirement to comply with applicable laws and policies

- (1) Individuals must agree to execute ethically, conscientiously, with due diligence and according to law, the duties required of them as an Employee or a Board Member of the College, as the case may be.
- (2) Employees and Board Members shall act at all times in compliance with both the letter and the spirit of all applicable law and applicable College procedures and guidelines and in accordance with contractual commitments. Employees and Board Members should not only comply fully with the law, but should also avoid any situation that could be perceived as improper or indicate a casual attitude towards compliance.
- (3) Employees and Board Members are expected to be sufficiently familiar with any legislation (including applicable privacy legislation) that applies to their work to recognize potential liabilities and to know when to seek advice or assistance.
- (4) For greater certainty, Employees and Board Members who have access to information that is confidential, proprietary, or personal are required to be familiar and to comply with laws and College policies and procedures pertaining to access, use, modification, protection, and disclosure of such information.
- (5) In some cases Employees and Board Members are governed by ethical codes or standards of their professions or disciplines. Employees and Board Members are required to conduct their professional activities and their activities related to their discipline in compliance with all applicable codes and standards of their profession or discipline.

9. Furthering Private Interests

- (1) Employees and Board Members are required to disclose, in accordance with applicable procedures, any private interest that has the potential to give rise to a Conflict of Interest, Conflict of Commitment or an apparent conflict of interest.
- (2) Employees and Board Members must not take part in a decision of the College if doing so would result in a Conflict of Interest, Conflict of Commitment, or an apparent conflict of interest.

- (3) Employees and Board Members must not use their public role or position with the College to influence or seek to influence a College decision that could further a private interest of the Employee or Board Member (as the case may be) or a Family Member or Related Entity of the individual that could result in a Conflict of Interest, Conflict of Commitment, or an apparent conflict of interest.
- (4) Employees and Board Members must not use or communicate information not available to the general public that was gained by the Employee or Board Member (as the case may be) in the course of carrying out their duties or as a result of their College position or responsibilities, to further or seek to further a private interest of the Employee or Board Member (as the case may be), a Family Member, or a Related Entity of the individual.

Specific Employee and Board Member Responsibilities

10. Dealings with Others

- (1) Employees and Board Members who exercise discretionary authority over others shall disqualify themselves from dealing with any matters concerning an Employee or Board Member (as applicable) where their impartiality may be compromised. In situations where service delivery could be impaired if the Employee with discretionary authority does not act, the Employee must advise their Dean, Director, Vice President, or the President and Chief Executive Officer of the details before exercising their authority. Once the Dean, Director, Vice President, or the President and Chief Executive Officer has been notified, the Employee shall only exercise their authority in accordance with the instructions received. In emergency situations, the Employee shall act impartially and notify their the Dean, Director, Vice President, or the President and Chief Executive Officer immediately after exercising their authority.
- (2) Candidates for employment must declare any Family Members already employed with the College, before being hired. Family Members of an Employee may work in the College within the same School or Department, provided an Employee does not supervise a Family Member and no Conflict of Interest or apparent conflict of interest exists for the Employees involved. Should a Dean, Director, or Vice President wish to hire a Family Member of a current Employee into the same department, prior approval from the President and Chief Executive Officer is required.
- (3) In the recruitment process, selection panel members shall disqualify themselves from competitions where applicants include Family Members or other individuals where the continued participation of the panel member could raise a question as to their impartiality.
- (4) Employees shall, so far as it is known to them, disclose and discuss with their Dean, Director, or Vice President or designate situations that may be a Conflict of Interest, Conflict of Commitment, or an apparent conflict of interest under this section.
- (5) Vice Presidents shall, so far as it is known to them, disclose and discuss with the President and Chief Executive Officer, situations that may be a Conflict of Interest, Conflicts of Commitment, or apparent conflict of interest.

- (6) Board Members shall, so far as it is known to them, disclose and discuss with the Board Chair or designate, situations which may be a Conflict of Interest, Conflict of Commitment, or an apparent conflict of interest.
- (7) The Board Chair, and the President and Chief Executive Officer shall, so far as it is known to them, disclose and discuss with the Human Resources Committee of the Board of Governors situations that may be a Conflict of Interest, Conflict of Commitment, or apparent conflict of interest.

11. Community-based Activities

- (1) The College supports Employees' involvement in community-based work where they will grow personally and/or professionally and/or where the College will benefit from such involvement. This includes board work (volunteer or paid) and committee involvement.
- (2) If an appearance before or participation on a committee, council, board, commission, organization, association or any other agency could result in adverse consequences for the College, or represent a Conflict of Interest, Conflict of Commitment, or apparent conflict of interest, the Employee or Board Member (as the case may be) must not participate.
- (3) Employees and Board Members may, however, exercise their rights as a citizen so long as it is clear that they are representing themselves as a private citizen and in no way representing the interests of the College.

12. Volunteer Activities

- (1) Employees are encouraged to participate in volunteer activities; however, the restrictions as listed under the title Community-based Activities also apply to volunteer activities. Employees who are actively associated on a volunteer basis with any organization shall disclose to their Dean, Director, or Vice President their involvement in any organization where a Conflict of Interest or a Conflict of Commitment may arise, including an apparent conflict of interest. Vice Presidents shall make similar disclosures to the President and Chief Executive Officer, and the President and Chief Executive Officer shall make similar disclosures to the Board Chair. Such Employees shall disqualify themselves from participating in any decisions of other organizations or the College which could result in a Conflict of Interest or Conflict of Commitment.
- (2) It is recognized that Board Members may have other volunteer activities in which they engage, including serving as directors on other not-for-profit boards. Board Members are required to disclose, when first appointed and thereafter on an annual basis, their involvement in any organization where a Conflict of Interest, or a Conflict of Commitment may arise, including an apparent conflict of interest. Such Board Members shall disqualify themselves from participating in any decisions of other organizations or the College, which could result in a Conflict of Interest or Conflict of Commitment.

13. Appointments and Secondary Employment

- (1) Employees (other than the President and Chief Executive Officer) may accept appointments and participate in secondary employment, except where the secondary employment:

- (a) interferes with the Employee's duties, availability or performance to the College's requirements;
- (b) involves business relations, or other outside employment duties during any portion of the employee's regular working hours with the College, except in pre-approved circumstances;
- (c) the Employee gains any Benefit or acts in any capacity for a supplier, contractor, customer, or any other entity with which the College does business;
- (d) might reasonably expect them to disclose confidential or proprietary information to which they have access by virtue of their College appointments;
- (e) involves the Employee holding a position as a member of a board of governors or an officer of a competitor of the College unless approved by the President and Chief Executive Officer; or
- (f) creates or appears to create ethical or legal conflict of interests.

14. Process for Approval of Appointments, Secondary Employment:

- (1) For Employees (other than the President and Chief Executive Officer) to pursue secondary employment or accept appointments, Employees are required to declare the employment or appointment, and obtain approval from their Dean, Director, Vice President, or Associate Vice President. Approval will be documented and placed in the Employee's file. Where approval is given, the College may request the use of unpaid leave or vacation time to pursue these opportunities. The Employee may choose to donate their proceeds or honorarium back to the College.
- (2) Employees considering a new offer of appointment or employment must be aware of and manage any potential Conflicts of Interest, Conflicts of Commitment and apparent conflicts of interest between their current position and future circumstances, and must remove themselves from any decisions affecting their appointment or employment.
- (3) Board members shall declare in writing to the Board Chair any concurrent appointment, business, undertaking or employment, including self-employment, upon initial appointment and immediately at any time there is a change from the initial declaration.

15. Acceptance of Gifts

- (1) Employees and Board Members shall not accept fees, gifts or other benefits, including event invitations, that are connected directly or indirectly with the performance of the College position or duties, from any individual, organization, or corporation other than:
 - (a) The normal exchange of gifts between friends;
 - (b) The normal exchange of hospitality between persons doing business together;
 - (c) Tokens exchanged as part of protocol; or

- (d) The normal presentation of gifts to persons participating in public functions, awards, speeches, lectures, presentations or seminars.
- (2) Acceptance of cash or cash equivalents as a gift under paragraph 15(1) is prohibited, except for gift cards with a cumulative value not exceeding \$100 from a single source in a calendar year, given to an Employee by a faculty association or union representative body of which the Employee is a member.
 - (3) The value of a single tangible gift permitted by this section shall not exceed \$100. The total cumulative value of tangible gifts received from a single source in a calendar year shall not exceed \$200.
 - (4) The value of a single event invitation permitted by this section shall not exceed \$200. The total cumulative value of event invitations, received by Employees and Board Members from a single source in a calendar year shall not exceed \$400. The exception to these values for the Board Chair, the President and Chief Executive Officer and members of the Executive are itemized in 15(6).
 - (5) Subject to the general restrictions of paragraph 15(1) and the monetary limits of paragraph 15(4), Employees and Board Members may accept:
 - (a) Paid invitations to industry, civic or community events where attendance at such events is considered key to establishing and maintaining positive donor relationships and community collaboration relationships for the College, provided that such activities are carried on in the best interests of the College and not for any Benefit; or
 - (b) Paid invitations for events where a large cross-section of people have been invited, provided that the invitation does not create a real or apparent Conflict of Interest.
 - (6) For the Board Chair, the President and Chief Executive Officer, and members of the Executive, the value of a single event invitation permitted by this section from donors and friends of the institution shall not exceed \$1,000. The total cumulative value of events invitations permitted by this section, received by the Board Chair, the President and Chief Executive Officer, or a member of the Executive (as applicable) from a single donor or friend of the institution in a calendar year shall not exceed \$1,500.
 - (7) Employees and Board Members may accept invitations to conferences, symposiums and professional development workshops where admission, accommodation, airfare and other fees are paid, provided that such invitation:
 - (a) Is reasonable and customary in the academic or professional circumstances;
 - (b) Is not actually nor reasonably could be perceived as being provided in exchange for a favor or advantage to the organizers of the conference, symposium or professional development workshop or to any other party; and
 - (c) Requires the attendee to speak, present or participate in an active role.

- (8) The value of a single invitation permitted under paragraph 15(7) shall not exceed \$4,000 and the cumulative value of all invitations permitted under paragraph 15(7) received from a single source in a calendar year shall not exceed \$8,000. Any invitation exceeding these limits may be accepted with prior written approval from the appropriate party (as identified in paragraph 15(10)) whose permission shall be granted in writing, in accordance with the principles and provisions of the Code, and where acceptance of the invitation would not create a real or apparent Conflict of Interest.
- (9) If an Employee or Board Member is unclear as to the valuation of a gift, event invitation, or other benefit, as to whether a gift, event invitation, or other benefit fits under one of the above exceptions or under which section a gift, event invitation, or other benefit is captured, the Employee or Board Member shall seek assistance from the Appropriate Party. The appropriate party holds final discretion on the valuation or classification of a gift, event invitation, or other benefit.
- (10) The Appropriate Party under paragraphs 15(8) and 15(9) is:
 - (a) The Dean, Director, Associate Vice President or Vice President, for Employees;
 - (b) The Board Chair, for Board Members; or
 - (c) The Human Resources Committee of the Board of Governors, for the Board Chair and the President and Chief Executive Officer.

16. Political Activity

- (1) There is no restriction upon participation in political activity by Employees and Board members except that:
 - (a) they must not participate directly in soliciting contributions;
 - (b) any political activities carried out must be clearly separate from activities undertaken for the College and may not involve College Resources;
 - (c) the section on Community-based Activities applies;
 - (d) Employees who run as candidates in a provincial or federal election must take a leave of absence without pay commencing on the earlier of: the day after the writ for the election is issued or the day that their candidacy is publicly announced. The restriction relating to soliciting contributions shall not apply to such Employees or Board Member once the leave of absence commences;
 - (e) Employees who are elected to federal, provincial or municipal council office must resign their employment effective the day of the election; and
 - (f) Employees who seek election and are not elected are entitled to return to the same or similar employment effective the day after the election.

17. Public Statements

- (1) The responsibility for maintaining the confidentiality of information or documents includes the responsibility for ensuring that such information or documents are not directly or indirectly made available to unauthorized persons.
- (2) Employees and Board Members must adhere to the requirements of all applicable privacy legislation.
- (3) Employees and Board Members are reminded that posting content, including the use of social media, whether on behalf of the College or for personal purposes, is public, immediate and permanent. As such, Employees and Board Members are expected to be transparent, thoughtful, and respectful to protect their personal and professional reputation, as well as that of the College. Employees and Board Members must comply at all times with all relevant applicable laws and the College's policies and procedures.

18. Use of College Resources

- (1) Employees and Board Members may only use College Resources for activities on behalf of the College and within their scope of responsibility as per policy.
- (2) Notwithstanding 18(1), College Resources may be used for personal purposes in limited circumstances when permitted by an existing policy or where incidental personal use is reasonable in all of the circumstances.
- (3) Employees and Board Members are required to treat College Resources with care and to adhere to laws and College policies regarding the acquisition, use, maintenance, documentation, and disposal of College Resources.
- (4) Employees or Board Members shall not sell, trade, market, or distribute any such product, technology or Intellectual Property (as defined below) unless otherwise authorized by the President and Chief Executive Officer or designate. Unauthorized distribution of Intellectual Property or other proprietary information or technology could also be illegal and result in civil or criminal penalties.
- (5) As users of information produced outside of the College, Employees shall strive to ensure that all of the College's Intellectual Property is respected. Intellectual Property means confidential information, copyright works, trademarks, industrial designs, design rights, inventions (whether patentable or not), unpublished patent applications, inventive ideas, discoveries, innovations, developments, or improvements thereto, or any other intellectual property rights relating to any of the foregoing, whether registered or non-registered, whether or not reduced to written form or practice, within the scope of the College's business activities. Issues relating to Intellectual Property and licensing agreements should be directed to Learner Services.
- (6) Employees who produce Intellectual Property or make improvements to Intellectual Property during employee work hours or with College Resources must cooperate with the College to ensure the Intellectual Property becomes or remains the exclusive property of the College and its creation or any modifications are disclosed to the College.

- (7) Employees wishing to see material or Intellectual Property produced by the College or material or Intellectual Property that they have produced themselves in their employment with the College must receive permission from the President and Chief Executive Officer, or designate, prior to using or disseminating those materials externally.
- (8) Economic rights relating to the development of any materials or Intellectual Property for the College shall be the property of the College.

PART 5

Reporting, Investigating a Breach of the Code

19. Disclosing and Investigating

- (1) Employees or Board Members shall disclose known or suspected breaches of the Code to the Compliance Officer in accordance with the Protected Disclosure Procedure (Appendix B). A breach of the Code shall be deemed to be within the definition of Wrongdoing (as defined in the Protected Disclosure Procedure). Any Employee or Board Member disclosing a breach or suspected breach of the Code will follow the steps for making a disclosure, and such disclosure, as well as any Reprisals, will be investigated and a conclusion reached in accordance with the Protected Disclosure Procedure.
 - (a) The party alleged to have breached the Code will have an opportunity to respond to the allegations through the process.

PART 6

Penalties, Consequences and Reprisals

20. Penalties and Consequences

- (1) Employees or Board Members who do not comply with any provisions of this Code may be subject to disciplinary action, up to and including termination of employment or other relationship with the College. Disciplinary action will be taken in accordance with the provisions of any applicable collective agreement.
- (2) Employees or Board Members who are found to have made a frivolous or vexatious report of a potential breach of the Code may be subject to disciplinary action up to and including termination of employment or other relationship with the College. Disciplinary action will be taken in accordance with the provisions of any applicable collective agreement.

21. Reprisals

- (1) Employees and Board Members will not take any action in Reprisal against another individual.
- (2) An individual who believes they may be the subject of a Reprisal may notify the Chief Financial Officer in accordance with relevant procedures set out in the Protected Disclosure Procedure.

PART 7

Administration Matters

22. Review of the Code

- (1) This Code of Conduct replaces the Employee Code of Conduct Policy (April 16, 2014), the Employee Code of Conduct Procedure (January 14, 2014), the Ethical Business Practices Policy (March 15, 2013), the Ethical Business Practices Procedure (March 15, 2013), and the Ethical Business Practices Guidelines (March 15, 2014).
- (2) This Code shall be reviewed on a regular basis under the direction of the Chief Financial Officer and any material amendments shall be approved by the Board of Governors. The President and Chief Executive Officer or designate shall have the authority to make any housekeeping changes or changes required to reflect legislative or regulatory changes, including Orders in Council, as issued from time to time, without any further Board of Governors' approval.

Each Employee and Board Member shall be required to confirm on an annual basis that they have read and understand the Code and are not aware of any breach of the Code in the preceding year that has not been fully disclosed.

APPENDIX A

Obligations of the Board Chair and the President and Chief Executive Officer

1. Restrictions Against Furthering Private Interests

- (1) Pursuant to s. 23.925 of the *Conflicts of Interest Act*, the Board Chair and the President and Chief Executive Officer are subject to additional provisions. The Board Chair and the President and Chief Executive Officer:
 - (a) Must not take part in a decision in the course of carrying out his/her office or powers knowing that the decision might further a private interest of the Board Chair or the President and Chief Executive Officer (as applicable), a Related Entity of the Board Chair or the President and Chief Executive Officer (as applicable), or the Board Chair or the President and Chief Executive Officer's minor or adult child (as applicable);
 - (b) Must not use his/her office or powers of influence or seek to influence a decision made by or on behalf of the Crown or a public agency, including the College, to further a private interest of the Board Chair or the President and Chief Executive Officer (as applicable), a minor child or Related Entity with the Board Chair or the President and Executive Officer (as applicable), or to improperly further any other person's private interests;
 - (c) Must not use or communicate information not available to the general public that was gained by the Board Chair, or the President and Chief Executive Officer in the course of carrying out his/her office or powers to further or seek to further a private interest of the Board Chair or the President and Chief Executive Officer or any other person's private interests; and
 - (d) Must appropriately and adequately disclose a real or apparent conflict of interest.
- (2) Any approvals or plans to manage a Conflict of Interest or apparent conflict of interest should be documented and placed in the Board Chair or the President and Chief Executive Officer's file (as applicable) and reviewed annually as part of the annual sign-off procedure for this Code.

Obligations of the President and Chief Executive Officer

2. Restrictions on Concurrent Employment

- (1) The President and Chief Executive Officer must seek approval in writing from the Board of Governors and from the Ethics Commissioner to engage in an appointment, business, undertaking or employment, including self-employment, other than their role with the College or another role that is subject to the requirements of the Act. Approval will be documented and placed in the President and Chief Executive Officer's file.

Data Sheet

Accountable Officer

President and C.E.O.

Responsible Officer

Chief Financial Officer

Questions regarding this policy should be addressed to the Responsible Officer.

Approval

Board of Governors

Contact Area

Office of the C.F.O.

Relevant Dates

Approved	January 24, 2019
Effective	January 24, 2019
Next Review	January, 2022
Modification History	July 29, 2020

Associated Policies

Privacy and Access Policy #300-2-10

Protected Disclosure Policy #200-1-6

Respectful Workplace Policy #200-1-11

Directly Related Procedures

Code of Conduct #200-1-13

Protected Disclosure #200-1-6

Respectful Workplace Procedure #200-1-11

Directly Related Guidelines

Public Interest Disclosure Report form #200-1-6

Reprisal Complaint form #200-1-6

Related Legislation

Conflicts of Interest Act

Freedom of Information and Protection of Privacy Act

Public Interest Disclosure Act