DURHAM CATHOLIC
DISTRICT SCHOOL BOARD
Learning and Living in Faith

POLICY – 317

Employee Conflict of Interest

Area: Human Resources
Source: Superintendent of Human Resource Services

Approved: January 23, 2008
Revised: March 22, 2021 (Interim)

1. Introduction

The Board recognizes its obligation to protect the public trust and appropriately manage resources. In keeping with the Gospel values of Jesus and consistent with its mandate for accountability, the Board expects its employees to conduct themselves at all times, with the highest standard of personal integrity, ethics and due diligence in the performance of their duties.

2. Definitions

Conflict of Interest – a potential, apparent, or actual conflict where an employee, or the employee's family or close business associates financial or other personal interest, whether direct or indirect, conflicts or appears to conflict with the employee's responsibility to the Board, or when there is reasonable basis for perception of such conflict, including with the employee's participation in any recommendation or decision as an agent of the Board.

Employee – anyone who is paid on the Board payroll, except for a Trustee of the Board.

Relationship – 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.

Service – any work done or duty performed for an individual, group, agency or organization that would otherwise be performed by an employed person or a consultant under contract.

Supervisor – the person to whom an Employee reports.

3. Purpose

The purpose of this policy is to establish the parameters for employee conduct with respect to a possible conflict of interest situation.

4. Application / Scope

This policy applies to all employees of the Board and to former employees of the Board whose conduct while employed by the Board may have contravened this policy and its attendant administrative procedures.

5. Principles

5.1 The Board believes that employees of the Board:

5.1.1 occupy positions of public trust;

5.1.2 have a duty to conduct themselves at all times with the highest standard of personal integrity, duty of care, ethics, fidelity, honesty and due diligence in the performance of their duties;

5.1.3 have a duty to support and advance the interests of the Board;

5.1.4 must at all times avoid situations where their personal interests actually or potentially conflict with the interests of the Board;

5.1.5 must at all times avoid situations which may impair their ability to exercise prudence, fidelity and judgment in the performance of their duties.

6. Requirements

6.1 All employees of the Board who are responsible for the supervision of other employees, including the hiring and selection of employees, are required to bring this policy and any attendant administrative procedures to the attention of those employees, current or prospective, under their direct supervision. The Employee Conflict of Interest Policy and attendant Administrative Procedure are part of the annual signing of the Acknowledgment and Confirmation of Review form that occurs at the beginning of each school year.

6.2 All employees:

6.2.1 shall avoid placing themselves in situations where their personal interests are in conflict or may potentially conflict with the interests of the Board, including in matters related to a personal or family business unrelated to their professional duties with the Board, and advertising or marketing such business interests to Board employees;

6.2.2 have a duty to report to the Board, in writing through their immediate supervisor any circumstance of a personal or financial interest which is or might be perceived to be a conflict of interest;

6.2.3 participating in, or influencing the outcome of the appointment, hiring, promotion, supervision, or evaluation of a person with whom the Employee has, or has had, a relationship shall declare such conflict to their supervisor and remove themselves from any position of conflict;

6.2.4 are prohibited from accepting any gift or gesture, from any persons or entities, if a reasonable person might conclude that the gift or gesture could influence the employee when performing hiring or supervisory duties for the School Board.

6.3 Options for Resolving Conflicts of Interest

6.3.1 The Director of Education shall issue procedures that specifically outline management of conflicts of interest and processes for resolving conflict of interest.

6.4 Contravention of this Policy

6.4.1 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.

7. Sources

7.1 *Education Act,* R.S.O. 1990, Chapter E.2; Section 217 (1-4); Section 286 (4)
7.2 Ontario Teachers' College Act, Subsection 30(2)
7.3 Professional Misconduct, O/Reg 437/97; Section 1(26)
7.4 *Early Childhood Educators Act,* 2007; O. Reg 223/08; Professional Misconduct
7.5 *Audiology and Speech-Language Pathology Act*, 1991; O. Reg 749/93; Professional Misconduct
7.6 *Social Work and Social Services Work Act*, 1998; O. Reg 384/00 Professional Misconduct
7.7 *Psychology Act*, 1991, O. Reg 801/93; Professional Misconduct
7.8 Policy/Program Memorandum No. 165 – School Board Teacher Hiring Practices

8. Related Policies and Administrative Procedures

8.1 Staffing Policy (PO328)
8.2 Employee Conflict of Interest Administrative Procedure (AP317-1)
8.3 Teacher Recruitment and Hiring Administrative Procedure (AP328-2)