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## **STAFF CONFLICT OF INTEREST**

### **Background**

The effective management of the Division is facilitated by employees avoiding situations which could be construed as placing themselves in a conflict of interest. This obligation demands that there not exist, nor seem to exist, conflict between the private interests of employees and their responsibility to the Division and the community.

### **Procedures**

1. The Superintendent is responsible to:
  - 1.1 Ensure that all employees are familiar with and adhere to this Administrative Procedure;
  - 1.2 Review conflict of interest situations and interpret and apply this Administrative Procedure as appropriate; and
  - 1.3 Keep the Board informed on all conflict of interest situations and their resolution.
2. Employees are responsible for exercising reasonable care to ensure that they avoid conflict of interest situations.
3. Where employees find themselves in an actual, perceived or potential conflict of interest, the individual employee must:
  - 3.1 Disclose in writing to their supervisor and the Superintendent the nature and extent of the conflict of interest; and
  - 3.2 Refrain from acting in connection with the conflict of interest unless, and to the extent that, the Superintendent may in writing otherwise permit.
4. An employee who is in breach of this Administrative Procedure may be subject to disciplinary action.
5. A conflict of interest arises when an employee, because of knowledge, responsibilities or authority associated with the employee's position with the Division is perceived as, directly or indirectly, providing benefit to:
  - 5.1 Themselves personally; or
  - 5.2 A member of the employee's family, or
  - 5.3 A business or an organization in which that employee, or a member of the employee's family, has an interest or holds a position.
6. Employees of the Division are deemed to be in conflict of interest if they are party to a subsisting contract with the Division other than a contract of employment under which money of the Division is payable or may become payable, unless such a contract is permitted under the Education Act.

- 6.1 Where a contract of employment and a subsisting contract exist between the Division and an employee, the employee will be given a choice to either retain their contract of employment or the subsisting contract.
  - 6.2 A contract between the Division and an employee in which the employee has a pecuniary interest, unless permitted under the Education Act, will be deemed to be void in accordance with the Education Act.
7. Examples of situations that may be construed as a conflict of interest are as follows:
- 7.1 Accepting lavish meals, entertainment, trips, flights, hotel accommodation or car rentals from any individual or organization with which the Division does business;
  - 7.2 Giving a gift or favour of other than nominal value to any individual or organization with which the Division does business or plans to do business;
  - 7.3 Soliciting or receiving any gift, prize, donation, kickback or sponsorship of any amount from any third party as a participant in, or organizer of, a charitable, recreational, cultural, travel club or social activity which is associated with, or uses the name of the Division;
  - 7.4 Using Division time, facilities or information for one's personal gain;
  - 7.5 Pursuing personal gain by using the time, materials or facilities of those doing business, or seeking to do business, with the Division;
  - 7.6 Acquiring ownership or any significant financial interest in an organization with which the Division does business, or in anticipation of its doing business with the Division;
  - 7.7 Using one's influence or authority to gain a benefit for any relative or friend, including an offer of employment; and
  - 7.8 Using one's influence or authority as an employee of the Division to solicit from organizations, with which the Division does business, contributions to charitable, recreational, cultural or social associations.

Reference: Section 33,52,53,55,68,197,198,199,203,204,205,222,225,229 Education Act  
Alberta Human Rights Act  
Child, Youth and Family Enhancement Act  
Employment Standards Code  
Freedom of Information and Protection of Privacy Act  
Labour Relations Code  
Personal Information Protection Act  
Teaching Profession Act

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