

## **ADMINISTRATIVE PROCEDURE 545 STAFF CONFLICT OF INTEREST**

The purpose of this procedure is to outline the District's expectations for all employees to act in a manner that will enhance its reputation for honesty, integrity and reliability and to ensure services are carried out in the best interest of students. As such, employees of the District shall not place themselves in a position of conflict of interest and must carry out their duties and responsibilities professionally and impartially and to anticipate and avoid conflicts of interest.

While the District recognizes the right of public service employees to be involved in activities as citizens of the community, conflict must not exist between employees' private interests and the discharge of their job-related duties. Upon accepting a position in the District, employees must arrange their private affairs in a manner that will prevent conflicts of interest, or the perception of conflicts of interest, from arising.

### **Definitions**

- Conflict of Interest – when an employee's personal or financial interests interfere with their professional responsibilities and obligations to the school district and/or where the employment relationship is used to personally benefit or provide an inappropriate personal advantage. A conflict of interest may involve financial gain, preferential treatment, bias, or the potential for undue influence.
- Financial Conflict of Interest – an activity which might reasonably be perceived as using the employment relationship for inappropriate financial advantage.
- Non-Financial Conflict of Interest – situations where an employee's personal relationships, affiliations, or non-financial interests may interfere or appear to interfere with their ability to perform their duties objectively and impartially.
- Family Member – includes a spouse or relative.

### **Financial Conflicts of Interest**

Financial interests which may give rise to a conflict of interest may include, but are not limited to, investments, ownership interests, employment outside the school district, and contracts with vendors or service providers.

Employees are not permitted to:

- use the District's property, information or position for personal gain.
- engage in any outside business or activity that is detrimental to the District.

Employees are not permitted to tutor or provide other private professional services for students unless they conform to the following guidelines:

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Related Legislation: British Columbia Freedom of Information and Protection of Privacy Act, Public Interest Disclosures Act

Related Contract Article: BCTF Members Guide

Adopted: April 27, 2004

Amended: October 5, 2023

# THE BOARD OF EDUCATION OF SCHOOL DISTRICT NO. 33 (CHILLIWACK)



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1. That the students are not enrolled in the employee's worksite(s).
2. Normally teachers on call (TOC's) and casual employees are not limited by restrictions in #1 above unless they are assigned to that worksite on a regular basis.
3. That the tutoring will not take place on Board property.

Other examples of financial conflicts of interest include:

- Engaging in activities outside of regular employment duties, during regular working hours or at the work site, that either involves or promotes the employee's business, an organization in which the employee has a financial interest, or that of family member, partner / business associate or close friend.
- Promoting the employee's personal business or professional services to students.
- Using school district facilities, materials and equipment for external business purposes.
- Approving purchase orders for the District where an employee has a financial or other interest in those goods and/or services.
- Involvement in a process or a decision that would result in a direct financial benefit to the employee, an organization in which the employee has a financial interest, or a family member, partner, business associate or close friend.

### **Non-Financial Conflicts of Interest**

Employees must not use their position to make a decision or effectively influence a decision benefiting a family member, partner, business associate or close friend.

Examples of non-financial conflicts of interest include:

- Hiring or influencing the hiring of persons falling into one or more of the categories identified above.
- Being a member of a selection committee that will place or hire persons identified above.
- Supervising or evaluating an employee who is a family member.
- Requesting a replacement worker who is a family member
- Giving or accepting gifts that may be perceived as potentially influencing decisions or compromising impartial decision-making.
- Engaging in situations that may lead to favoritism, preferential treatment, or compromise the integrity of the school district.

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### **Process to Apply for a Determination or Exception**

1. When an employee becomes aware of a potential conflict of interest, they are required to request a determination in writing from the Superintendent (or designate) before engaging in the activity.
2. The Superintendent or designate will evaluate the disclosure and if there is a conflict or potential conflict, will determine if an exception may be granted with appropriate measures in place to manage the conflict or potential conflict.
3. If an exception is granted, it will be documented in writing, specifying any conditions or restrictions that apply.
4. In cases where a conflict or potential conflict cannot be resolved through an exception, the employee may be required to recuse themselves from specific decisions, responsibilities, or employment relationships that would create or appear to create a conflict.

### **Confidential Information**

Employees must ensure that confidential information received as a result of employment with the District remains confidential, and is not to be divulged to anyone other than individuals authorized to receive such information. This includes confidential information received verbally, or in written or electronic form. Employees must not use or disclose such confidential information for their personal benefit, for the benefit of organizations in which the employee has a financial interest, or for the benefit of family members or others with whom the employee has a personal relationship.

Refer to Policy 210 – Privacy and Administrative Procedure 255 – Privacy Management Program for additional information and expectations of District employees regarding privacy and personal information.

### **Enforcement and Reporting:**

Violations of this administrative procedure may result in disciplinary action, which could include verbal or written warnings, mandatory training, suspension, or termination, depending on the severity of the offense.

Employees should report any concerns or violations of this administrative procedure to their immediate supervisor or the appropriate designated authority within the school district. The District will not retaliate against anyone who reports in good faith suspected unethical conduct, potential or actual violations of this Procedure, or violation of laws or regulations.

For suspected violations falling under the *Public Interest Disclosures Act*, refer to Policy 520 – Public Interest Disclosures and Administrative Procedure 510 – Public Interest Disclosures for

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further information and direction on reporting serious or systemic issues of wrongdoing without risk of retaliation.

Any knowingly false, frivolous, malicious or reckless allegations of concerns or violations will be subject to appropriate remedial consequences, up to and including disciplinary action.

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