



PROCEDURE

Title: **CONFLICT OF INTEREST AND
NEPOTISM PROCEDURE**

Procedure No.: 4021a
Effective Date: 2020 November 23

Department: Human Resources Services

Reference(s):

- The Education Act
- Municipal Conflict of Interest Act
- Employee Code of Conduct Policy
- Progressive Discipline of Employees Policy
- Purchasing Policy
- Ontario College of Teachers Standards of Practice

1.0 Fundamental Guiding Principles

- 1.1 The Thames Valley District School Board is committed to respecting public trust by promoting a culture of ethics, integrity, and honesty.
- 1.2 All employees and volunteers have a responsibility to avoid situations which would put them in an actual or perceived conflict of interest.
- 1.3 Employees and volunteers are required to file a disclosure statement if any potential or actual conflicts of interest exist that would compromise their ability to perform their duties or impact their judgment.
- 1.4 Disclosure statements shall contain the exact nature of the conflict of interest and forwarded to the employee's or volunteer's immediate supervisor.
- 1.5 Supervisors and administrators are responsible for ensuring that any incident of conflict of interest is reported immediately to their supervisor, and to the Superintendent of Human Resources.
- 1.6 Where the Thames Valley District School Board finds that an employee or volunteer has violated the requirements as described in this procedure, disciplinary action may be taken.

2.0 Definitions

- 2.1 "Conflict of interest" is any situation in which an individual has personal or financial interest that may:
 - a) impact their judgment and/or performance of their duties or responsibilities to the board;

Administered By: **Human Resource Services**

Amendment Date(s):

- b) cause them to act, or appear to act, in a way that is not in the best interest of the board; or
 - c) negatively affect the reputation of the board.
- 2.2 “Nepotism” is any situation where individuals are advantaged by a relationship with a Relative who is a board employee or volunteer, or a personal relationship with a board employee.
- 2.3 “Relative”, for the purpose of this policy and procedure, includes but is not limited to:
- i) current or former spouses or domestic partners (including at common law),
 - ii) fiancés,
 - iii) children or step-children,
 - iv) siblings or step-siblings,
 - v) parent or step-parents,
 - vi) grandparents or step-grandparents,
 - vii) uncles/aunts, and nephews/nieces
- 2.4 Conflict of Interest or Nepotism includes:
- a) employing direct relatives where the superior has influence, input or decision-making power over an employee’s performance evaluation, compensation, special permissions, potential for promotion, conditions of work and similar matters;
 - b) making personnel decisions when their objectivity would be compromised for staffing actions involving relatives;
 - c) employees seeking positions where a relative may have a supervisory role over another relative;
 - d) employees or volunteers offering or providing assistance or services (such as tutoring or psychological) for extra remuneration (regardless of where that is provided) to students who already receive assistance or a service from that employee, in the course of that employee’s duties of employment;
 - e) private services during the instructional day or on school property unless appropriate permits have been secured through Community Use of Schools;
 - f) advertising for private services using school or board connections and resources, including electronic communications;
 - g) participating in the selling, buying or leasing goods or services without declaring their interest and removing themselves from the decision-making process;
 - h) promoting the sale of products or providing services to students, parents,

employees or others, without advance Administration approval;

- i) accepting a fee, gift, personal or economic benefit, directly or indirectly, from any person who is doing business with the board for the purpose of influencing board decisions;
- j) entering into business contracts with suppliers who are also board employees;
- k) using board property for anything other than board activities;
- l) employees being directly involved with any election campaign by an individual seeking to be elected as a Board Trustee using school or board resources during the instructional day or on school property.

3.0 Roles and Responsibilities

- 3.1 Employees will take necessary steps to avoid actual or perceived conflicts of interest or nepotism, such as not supervising a relative, wherever possible.
- 3.2 Employees shall file a disclosure statement, in writing, to their immediate supervisor when an actual or perceived conflict of interest or nepotism has occurred. The disclosure statement must fully describe the nature of the conflict of interest or nepotism.
- 3.3 Employees shall establish, along with their supervisor and the Superintendent of Human Resources, solutions to eliminate or manage any conflict of interest or nepotism.
- 3.4 The Superintendent of Human Resources is ultimately responsible for investigating and evaluating any disclosure statements, making final decisions on recommended solutions, notifying the Director and/or obtain legal advice when deemed necessary.
- 3.5 School Council agendas must include Conflict of Interest should an issue or agenda item arise where a Council member is in a conflict of interest situation, they shall declare a conflict of interest immediately and not participate in the discussion and resolution.

4.0 Consequences for Non-compliance

Anyone who engages in activities that contravene this policy and procedure, including failing to disclose a conflict of interest or nepotism, may be subject to disciplinary actions in accordance with the board's Progressive Disciplinary of Employees Procedure, Employee Code of Conduct Policy and Procedure and any applicable collective agreement terms and conditions.