



<p style="text-align: center;"><b>STRAIT REGIONAL SCHOOL BOARD</b> <i>Excellence in Lifelong Learning</i></p> <p style="text-align: center;"><b>POLICIES AND GUIDELINES</b></p>	<p style="text-align: center;"><b>HUMAN RESOURCES MGMT.                      V-B-5</b></p>					
	<p style="text-align: center;"><b>Employees - General SCHOOL BOARD STAFF CONFLICT OF INTEREST</b></p>					
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**General Guidelines/Principles**

The principles set out below should be interpreted reasonably and construed broadly. The public interest mandates that staff persons:

- a) perform their duties and functions impartially, responsibly, diligently, efficiently and with integrity;
- b) arrange their private interests in a manner that will prevent a conflict of interest, with any doubt in this respect being resolved in favour of the public interest;
- c) not solicit or accept directly or indirectly a fee, gift or benefit from a person or an organization who has dealings with the school board or the Department of Education when the Department is acting as agent for the school board or on behalf of the school board;
- d) benefit from school board and school board-related programs, services or initiatives only to the extent that a member of the public benefits therefrom;
- e) benefit from information, which is obtained in course of employment, only to the extent that a member of the public may benefit therefrom;
- f) not benefit from; use or permit the use of, school board property including leased property, or services, for anything other than in the course of the performance of official duties and functions, and otherwise only to the extent that a member of the public may use or benefit therefrom;
- g) in the course of the performance of official duties and functions involving the public, assist all members of the public fairly and reasonably;
- h) maintain appropriate confidences;
- i) observe all laws and rules;
- j) not use their position, office, school board affiliation or school board information or property to pursue personal interests;
- k) act in a manner that will bear the closest public scrutiny, an obligation that is not fully discharged by simply acting within the law;
- l) take care to avoid being placed, or appearing to be placed, under any obligation to any person or organization that might profit from special consideration by the staff person, and not accord preferential treatment in relation to any official matter to any person or organization in which the staff person, family members or friends have an interest;

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- m) disclose to the superintendent of schools, or in the case of a superintendent of schools, to the school board, that a staff person's spouse, partner or dependent children have a contract or agreement with the school board unless the contract or agreement has been awarded by open public tender.

**Ethical dimensions**

The ethical dimensions of a particular set of circumstances will not always be obvious and in cases of uncertainty must be measured using the criteria of legality, fairness and defensibility. It is essential that an staff person's conduct must be legal, fair and appropriate in the circumstances and defensible in the event it is challenged.

**Outside activities**

Involvement in outside employment and other activities by staff persons is not prohibited unless such employment or other activity:

- a) causes or is likely to result in a conflict of interest; or
- b) is performed in such a way as to appear to be an official act, or to represent a school board opinion of policy; or
- c) unduly interferes through telephone calls, internet use or otherwise, with regular duties; or
- d) involves the use of school board premises, equipment, or supplies unless such use is otherwise authorized.

Staff persons are responsible to make a confidential **written** report to their supervisor as to the nature of the employment or outside activity. Staff must self-assess their situation, using the "Checklist" attached to this Policy as Appendix A. The supervisor will ensure the report is documented, and may require that such employment or activity be curtailed, modified, or ceased, when it has been determined that a conflict of interest exists. Involvement can include being a shareholder in, or a director or officer of, a corporation that does not offer its shares to the public; or has a substantial interest in, or is a director or officer of, a corporation that offers its shares to the public.

**For those at the manager level or above, there is an increased responsibility from, and involvement with, the decisions made in the management of the Board. As a result, there is a higher expectation placed on the conduct of these individuals. To demonstrate compliance with the policies, these individuals should also prepare a confidential, written report that no conflict exists and this report should be provided annually.**

**Notification**

Each staff person will receive a copy of the Policy, in hard copy or electronic form.

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**Interpretation**

Staff who require clarification or direction regarding the interpretation or application of the Policy should consult their supervisor.

**Education**

The school board will prepare information and education materials about the Policy for staff, and make appropriate arrangements for the preparation and implementation of communications regarding conflict of interest.

**Accountability**

Every staff person has a duty to avoid conflicts of interest and is accountable for their own conduct.

**Superintendents**

The superintendent of schools of the school board is responsible for administering the Policy with respect to staff of the school board other than the superintendent, and for ensuring its implementation including, but not limited to:

- a) ensuring staff are informed of the requirements of the Policy;
- b) promoting and ensuring compliance;
- c) determining whether a conflict of interest exists and what actions, if any, are to be taken; and
- d) establishing procedures for staff to report a conflict of interest to their respective supervisors.

**School Board**

The school board is responsible for administering the Policy with respect to the superintendent of schools.

**Human Resources Divisions**

The Human Resources Division in the school board is responsible for establishing procedures to ensure that as part of the offer of employment, prospective staff persons are informed of the Policy and sign a document certifying that they have read the Policy and that, as a condition of employment, they will observe it.

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**MONITORING**

**Confidentiality**

Information related to a staff person's private information provided to a supervisor shall be treated in complete confidence subject to the disclosure requirements established by law.

**Failure to agree**

Where a staff person and the person's supervisor disagree with respect to the appropriate arrangements necessary to achieve compliance with the Policy, the disagreement shall be submitted to the superintendent of schools. Where the superintendent of schools and the school board for which they are responsible disagree with respect to the appropriate arrangements necessary to achieve compliance with the Policy, the disagreement shall be submitted to the Deputy Minister or the Deputy Minister's designate.

**Failure to comply**

A staff person who fails to comply with the Policy shall be subject to appropriate disciplinary action.

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**Appendix A**  
**CONFLICT OF INTEREST CHECKLIST FOR OUTSIDE ACTIVITIES**

*Employees may be unsure if a specific outside activity represents a Conflict of Interest under the Provincial Policy or school board policy. While the Policy itself gives guidelines in the Principles and Outside Activities sections, you may still have questions. If so, answering these questions will help to determine whether you are in conflict. If you answer "yes" to any of the questions included in the checklist, you must meet with your supervisor to discuss the situation.*

1. Do you undertake any outside work or service for compensation, that is related to the field of expertise in which you are employed by your school board? Yes \_\_\_\_\_ No \_\_\_\_\_
  
2. Do you currently have, or are you involved in, a business or employment outside your school board which involves a service, product or facility which is offered by the school board? Yes \_\_\_\_\_ No \_\_\_\_\_  
  
 If "Yes", does your outside involvement actually jeopardize, or have the potential to jeopardize, your ability to function objectively on behalf of your school board or as perceived by the public? Yes \_\_\_\_\_ No \_\_\_\_\_
  
3. In the past 12 months, have you participated on behalf of your school board in any transaction between the school board and any business enterprise identified in your answers to questions 1 and 2? Yes \_\_\_\_\_ No \_\_\_\_\_  
 \_\_\_\_\_
  
4. Are you, or a spouse or dependent child(ren), holding a position as a director, officer, sole owner, partner, employee or a consultant or advisor to any business which:
  - supplies your school board with any property, licences, goods or services? Yes \_\_\_\_\_ No \_\_\_\_\_
  - is a partner or potential industry partner of your school board\*? Yes \_\_\_\_\_ No \_\_\_\_\_
  - is funded by/receives financial support from your school board\*? Yes \_\_\_\_\_ No \_\_\_\_\_
  
5. Do you, or a spouse or dependent child(ren), have any direct or indirect financial interest in any business which:
  - supplies your school board with any property, licences, goods or services? Yes \_\_\_\_\_ No \_\_\_\_\_
  - is a partner or potential industry partner of your school board\*? Yes \_\_\_\_\_ No \_\_\_\_\_
  - is funded by/receives financial support from your school board\*? Yes \_\_\_\_\_ No \_\_\_\_\_
  
6. Is there any activity that you could undertake, or do undertake, as an employee of your school board which could benefit you, or a spouse or dependent child(ren), in any business with which you are involved outside of your school board employment? Yes \_\_\_\_\_ No \_\_\_\_\_
  
7. In the past 12 months, have you received compensation, loans, grants, benefits, gifts or unusual hospitality from any supplier or potential supplier or competitor of your school board\* that might influence or appear to influence your decision regarding the purchasing of goods or services for your school board? Yes \_\_\_\_\_ No \_\_\_\_\_

\* Clauses marked by an asterisk should be read to include "or the Department of Education where the Department is acting as agent for the school board or on behalf of the school board".

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