

ADMINISTRATIVE PROCEDURE #4.46

CONFLICT OF INTEREST

BACKGROUND

The Board recognizes that, as a duly-elected public body, it is in a unique position of authority, influence and trust. While the Board has confidence in the ability of School District employees to carry out their duties in a responsible, trustworthy manner, it is in the best interest of all concerned that the principles and parameters of conflict of interest be clearly understood. It is the intent of this administrative procedure to assist employees in identifying and avoiding potential conflicts of interest in relation to the performance of their duties.

EMPLOYEES OF SCHOOL DISTRICT NO. 41 (BURNABY) OCCUPY POSITIONS OF PUBLIC TRUST AND CONFIDENCE. THEY ARE EXPECTED TO DISCHARGE THEIR DUTIES AND RESPONSIBILITIES PROFESSIONALLY, EFFICIENTLY AND IMPARTIALLY. EACH EMPLOYEE IS EXPECTED TO ANTICIPATE AND TO AVOID CONFLICTS OF INTEREST. IT IS IMPERATIVE THAT EMPLOYEES ALWAYS BE SEEN AS ACTING IN THE BEST INTERESTS OF THE PUBLIC, AND DO NOT COMPROMISE THEMSELVES IN THE DISCHARGE OF THEIR DUTIES.

OBJECTIVES

A conflict of interest arises when an individual is or may be seen to be advancing one's own interests in a manner that is detrimental to the integrity or interest of the School District. As a public institution the School District must not allow conflicts or perceived conflicts to exist. An employee is expected to request a determination from the Superintendent or designate before engaging in any activity which might reasonably raise questions about a possible conflict of interest.

DEFINITIONS

1. For the purposes of this administrative procedure a relative is defined as a spouse (including common-law), parent, grandparent, sibling or child in-law.
2. A direct relationship is defined as a relationship between relatives and/or members of the same household.

Existence of Conflict of Interest

When an employee is in a position to influence personnel decisions (such as recruitment, offer of employment, evaluation of performance, promotion or termination of employment)

with respect to another with whom they have a direct relationship that person will be viewed as being in a conflict of interest.

Employees' Duty to Avoid Conflict of Interest

To avoid conflicts of interest, employees should ensure they do not find themselves in the following positions:

1. Hiring or influencing the hiring of persons with whom they have a direct relationship;
2. Being a member of a selection committee that will place or hire persons with whom they have a direct relationship; or
3. Performing direct supervisory tasks of an employee with whom they have a direct relationship. Where the supervisory employee's efforts to avoid the conflict require cooperation from the School District, the process for dealing with accommodation as set out below shall be followed.

Restrictions on Hiring

The following positions are unique given the scope of the related responsibilities within the District:

1. Superintendent of Schools
2. Secretary-Treasurer
3. Assistant Superintendents
4. Director – Human Resources

To avoid any real or perceived conflict of interest no-one who is in a direct relationship with any of the employees in the above positions will be employed by the School District. Where a relationship arises after the employment relationship has been created, the process for dealing with accommodation as set out below shall be followed.

Accommodation

Where the operation of this administrative procedure would negatively affect an employee's terms and conditions of employment, the Board recognizes its obligation to consider whether, in the particular circumstances, other means may be adopted without undue hardship that would be consistent with the objective of this administrative procedure and would reduce or eliminate the impact on the employee. The affected employee may request a meeting with their immediate supervisor and the Director of Human Resources to discuss possible accommodation. Explorations of possible accommodation may include others who may be affected, at the discretion of the Director of Human Resources.

Waiver

In exceptional circumstances, such as the inability of the School District to find other qualified candidates for a vacancy, this administrative procedure may be waived by vote of the

Board.

ACQUISITION OF GOODS OR SERVICES

Gifts, Favours and Gratuities

An employee will not accept nor solicit gifts, favours or gratuities associated with the procurement of goods or services. Gifts, favours or gratuities deemed to be normal business hospitality, items of token value (unless in the aggregate they would create a perceived conflict of interest or reasonable apprehension of bias), or not directed at specific individuals, are not subject to the standards of this administrative procedure.

Direct Relationships

An employee shall not authorize or influence the acquisition of goods or services on behalf of the School District from an organization in which they have a direct relationship or a pecuniary interest. An employee who has decision-making authority, or who is in a position to influence a purchase or contract decision, must disclose in writing to the Secretary-Treasurer any personal or direct relationship interest in an organization and withdraw from the decision-making process. The Secretary-Treasurer or designate may authorize payments for goods or services provided by such organizations.

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Date Adopted: 2001-11-13
Date(s) Revised: 2007-09-25

Cross References:
Statutory:
Other: