



TITLE: EMPLOYEE CONFLICT OF INTEREST

Date Authorized: 15 May 1998
Date Revised: XXXXX 2024
Authorization: XXXXX 2024

COMMITMENT TO INDIGENOUS RIGHTS, HUMAN RIGHTS, AND EQUITY

The Board recognizes its responsibility to ensure that this policy and associated procedures promote and protect Indigenous rights, human rights, and equity. The Board will strive to address and eliminate racism and structural and systemic barriers for students, staff, and the community.

1.0 RATIONALE

To define guidelines and restrictions for employees with respect to conflict of interest.

2.0 DEFINITIONS

Please refer to Appendix A for a list of definitions of terms used in this policy.

3.0 GUIDING PRINCIPLES

- 3.1 Employees of the OCDSB occupy positions of great public trust. They are expected to conduct themselves and to perform their duties and responsibilities professionally, ethically, honestly, efficiently, transparently, and impartially.
- 3.2 It is imperative that employees act and are seen to be acting in the best interests of the organization and the public they serve, and do not compromise themselves or the reputation of the OCDSB in the performance of their duties.

4.0 SPECIFIC DIRECTIVES

- 4.1 Employees are responsible for identifying and avoiding placing themselves in situations where their Personal Interests, including financial interests, are actually or may be perceived to be in conflict with the District's interests or may adversely affect their ability to carry out their professional duties on behalf of the District.
- 4.2 Without restricting the generality of this policy or any associated procedures, Conflicts of Interest may include the following:

- a) participating in or influencing the outcome of the appointment, hiring, promotion, supervision, or evaluation of a person or contractor with whom the employee has, or has had, a Relationship, or directing or assigning the work of that person or contractor;
- b) providing direct services (e.g. teaching) to or evaluating a student with whom the employee has a Relationship;
- c) offering/promoting products for sale to the District, the Board, District employees, students and/or parents/guardians of students attending District schools;
- d) using the District's equipment, work time, resources, materials or facilities in any form in the pursuit of outside employment, remuneration, or other personal gain;
- e) offering private services to students for remuneration, where the business relationship arises through their employment with the District;
- f) acceptance of a gift from any person, group or entity if a reasonable person might conclude that the gift could influence the employee in the performance of their duties.

Disclosure of Conflict of Interest

- 4.3 Employees have an obligation to disclose when they are in an apparent, potential, or actual Conflict of Interest as soon as becoming aware of its existence.
- 4.4 The District shall facilitate and administer a process for employees to disclose an apparent, potential, or actual Conflict of Interest and for managing such disclosures.
- 4.5 The existence of apparent, potential, or actual Conflict of Interest does not necessarily preclude involvement in the activity giving rise to the conflict. Such determination shall be made by the Director of Education, or designate, in accordance with the established process. The employee may be required to refrain from any involvement in the activity until such time as a decision has been made.

Confidentiality

- 4.6 All personal information obtained under this policy shall be treated with confidentiality in compliance with the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*.

No Reprisals

- 4.7 Reprisals against anyone disclosing another employee's Conflict of Interest, including an apparent, potential or actual conflict, as well as threats of reprisal, are prohibited.

Infractions

- 4.8 An employee who has acted in contravention of this policy may be subject to appropriate disciplinary action, up to and including termination of employment, to be imposed at the discretion of the Director or designate.

4.9 The Director of Education is authorized to issue such procedures and guidelines to facilitate the implementation of this policy.

5.0 APPENDICES

Appendix A: Policy Definitions

6.0 REFERENCE DOCUMENTS

The *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*

The *Education Act*, 1998, § 217

Human Rights Code

Policy of the Ontario Teachers' Federation, Section III, Professional Ethics

OCDSB Policy [P.052.SCO: Fund-raising in Schools](#)

OCDSB Policy [P.069.FIN: Tendering, Purchasing and Acquisition of Supplies and Services](#)

OCDSB Policy [P.095.PLG: Decommissioning and Disposal of Surplus Board Property](#)

OCDSB Policy [P 146 HR - Equitable Recruitment, Hiring, and Promotion](#)

OCDSB Procedure [PR.502.FIN: Spending Authorization and Controls](#)

OCDSB Procedure [PR.558.FIN: Tendering, Purchasing and Acquisition of Supplies and Services](#)

OCDSB Procedure [PR 700 HR - Equitable Recruitment and Hiring Procedure](#)

OCDSB Procedure [PR 625 HR - Corporate Code of Conduct for Business Relationships](#)

APPENDIX A: POLICY DEFINITIONS

In this policy,

Employee means all persons who are currently engaged in active employment with the District, regardless of employment status (e.g. full-time, part-time, regular, term, contract, occasional, casual), but does not include Trustees.

Conflict of Interest means a potential, apparent or actual conflict where an Employee's financial or personal interest, whether direct or indirect, conflicts or appears to conflict with their responsibility to the District. It includes situations in which financial or other personal considerations have the potential to compromise or bias an employee's professional judgment and objectivity. An apparent conflict of interest is one in which a reasonable person would think that the employee's judgment is likely to be compromised.

Personal Interest means any financial or non-financial interest that an individual involved in decision-making processes may have, which could potentially influence their judgment or actions to the detriment of the organization's best interests. Personal interests may include, but are not limited to, financial gain, familial relationships, or other connections that might compromise objectivity.

Relationship means any relationship of the employee to persons of their immediate family whether related by blood, adoption, marriage, or common-law relationship, any relationship of an intimate and/or financial nature during the preceding five years, any student-supervisor relationship, or any other past or present relationship that may give rise to a reasonable apprehension of bias.

Reasonable Apprehension of Bias is the legal standard for conflicts of interest which is raised when a person who is informed of all the facts would reasonably conclude that there is an appearance of bias on the part of the employee.