



Office of the
Conflict of Interest and
Ethics Commissioner

Commissariat aux
conflits d'intérêts et
à l'éthique

Standards of Conduct

October 2019



PURPOSE

These *Standards of Conduct* support the *Code of Values for the Office of the Conflict of Interest and Ethics Commissioner* (Code of Values) and are intended to offer guidance on its application. No document can address every situation that could arise relating to actual, potential or perceived misconduct. For this reason, persons subject to the Code of Values must exercise good judgment and, in circumstances where they are unsure of the proper course of action, they must seek appropriate guidance.

The Office of the Conflict of Interest and Ethics Commissioner (Office) recognizes that the *Canadian Charter of Rights and Freedoms* guarantees such freedoms as freedom of expression and freedom of association, and such rights as democratic rights, subject only to reasonable limits prescribed by law.

The *Standards of Conduct* should be read in conjunction with the Office's other policies and procedures.

1 APPLICATION

- 1.1 The *Standards of Conduct* apply to all employees of the Office. The term "employee" includes those who are appointed on an indeterminate, term or casual basis, and students. Contractors and persons on Interchange Canada assignments are expected to respect the intent of these *Standards of Conduct*.
- 1.2 Employees must review and sign the Employee Acknowledgement Form when they are first appointed to the Office and are expected to review the Code of Values and sign this form annually at the time of their performance review. Corporate Management will ensure that the Code of Values and the *Standards of Conduct* are provided to all new employees of the Office.
- 1.3 Employees should submit a [Confidential Report](#) form to Corporate Management if they have a private interest that conflicts or could appear to conflict with their duties (e.g. having an ownership interest in a company that provides services to the Office), if they participate in outside activities that may be considered incompatible with their official duties (e.g. working part-time for a company that provides services to the Office), or if they engage in political activities. Human Resources will share the Confidential Report with the employee's director or manager to implement any necessary measures.

2 GENERAL STANDARDS OF CONDUCT

- 2.1** Employees must ensure that they comply with the Code of Values and that they uphold the Office's values of respect for people, professionalism, impartiality and integrity.
- 2.2** Employees are expected to take precautions to conduct their personal affairs in a manner that does not compromise the integrity and reputation of the Office or its employees.
- 2.3** Employees must respect diversity, and there is no tolerance for discrimination by words, actions or inaction on the basis of race, national or ethnic origin, colour, religion, age, sex, sexual orientation, gender identity or expression, marital status, family status, genetic characteristics or disability.
- 2.4** Employees are required to carry out their duties in a non-partisan manner to preserve the Office's reputation of impartiality and to be sensitive to the political environment in which the Office operates.
- 2.5** Employees must be responsible and efficient in the use of public funds, assets and resources, and not use or allow the use of public property for anything other than officially approved activities.
- 2.6** Employees are expected to adopt and maintain practices inside and outside the Office, as well as during and after employment by the Office, that will protect the confidentiality of information to which they are privileged.
- 2.7** Employees must not take files or equipment which contain protected, confidential or secret information outside the Office without proper authorization.
- 2.8** Employees must not solicit or accept gifts or other benefits from outside parties that may have an actual, potential or perceived influence on their objectivity in carrying out their official duties, or that may compromise or appear to compromise in any way the integrity of the Office. This includes free or discounted travel, conferences, or access to sporting and cultural events. However, trinkets of low value may be accepted.
- 2.9** Employees are expected to create and maintain a work environment which is conducive to the use of both official languages, while supporting the use of languages other than English and French in accordance with the [Canadian Multiculturalism Act](#).

3 CONFLICT OF INTEREST

- 3.1** Employees must take all necessary steps to prevent actual, potential or perceived conflicts of interest. Conflicts of interest arise when employees have an opportunity to further their private interests, or those of relatives or friends, in the course of performing their duties.
- 3.2** Employees must not grant preferential treatment or advantages to relatives, friends or any other person or entity, nor may employees work on files that involve relatives or friends.

4 ENGAGING IN OUTSIDE ACTIVITIES

- 4.1** For the purpose of the *Standards of Conduct*, “outside activities” include any activity outside the employee’s principal employment with the Office, whether paid or voluntary.
- 4.2** Employees may take part in outside activities unless an activity prevents them from fulfilling their employment duties or could call into question their capacity to perform those duties in an effective manner.

5 POLITICAL ACTIVITIES

- 5.1** Employees are expected to avoid taking part in any political activities that could compromise or be perceived to compromise their impartiality. As per the definition of “political activities” in the *Public Service Employment Act*, this includes:
- carrying on any activity in support of, within or in opposition to a political party;
 - carrying on any activity in support of or in opposition to a candidate before or during an election period; or
 - seeking nomination as or being a candidate in an election before or during an election period.

6 SOCIAL MEDIA

- 6.1** Employees who use social media should be aware that their contributions are not considered private communications, and therefore must conduct themselves on social media in the same way and according to the same standards as set out above in section 2.
- 6.2** Employees are expected to avoid using social media in any way that would impair or be perceived to impair their ability to perform their duties in a non-partisan, impartial manner.
- 6.3** Employees must not comment on issues or individuals in a way that could reflect negatively on their work or the reputation of the Office or their colleagues.
- 6.4** Employees are prohibited from making references to Office matters on social media or to the media without express authorization.

7 RESOLVING ISSUES

- 7.1** Employees who have any questions related to the Code of Values or *Standards of Conduct* should discuss them with their director, manager or Corporate Management. It is expected that most questions of values and ethics will be resolved in discussions between employees and directors or managers, through which avenues of resolution will be identified and appropriate action taken.
- 7.2** Employees who do not comply with the Code of Values and who knew or reasonably should have known that they were not in compliance may be subject to appropriate disciplinary

measures. These measures may include reprimand, suspension, dismissal, or legal or other proceedings.

- 7.3** Employees who become aware of a breach of the Code of Values or any other wrongdoing in the workplace are responsible for reporting that breach or wrongdoing to a manager, director or Corporate Management. Furthermore, persons who in good faith report such a breach or wrongdoing can expect to be treated without fear of embarrassment or reprisal when dealing with a harassment situation. In all cases, managers, directors and Corporate Management have an obligation to follow up promptly.