

TCDSB Policy Register

Conflict Of Interest: Employees H.M.31

Cross Reference:

Conflict of Interest: Trustees Policy T.01
Municipal Conflict of Interest Act. R.S.O. 1990, c.M.50
Purchasing Policy F.P.01

Principle:

The Toronto Catholic District School Board gives pre-eminence to the tenets of Roman Catholicism with regard to matters under its jurisdiction, in a manner consistent with Gospel Values and its Mission and Vision Statements. The Board recognizes that all people are created in the image and likeness of God and, as such, deserve to be treated with dignity, respect and fairness.

The Toronto Catholic District School Board also recognizes that a high standard is expected of a public body where the employment, contractual, and purchasing requirements may vary widely, and are spread throughout many departments and schools. It is essential that staff maintain, and are perceived to maintain, the highest standard of public trust and integrity.

Consequently, policy and administrative regulations governing ethics, codes of conduct and conflicts of interest are established demonstrating that all reasonable measures will be taken in the processes related to employment, contracts, and purchases of goods and services in a competitive and equitable manner which avoids any suspicion of irregularity, but with enough flexibility to permit sound educational and business practices. The establishment of a Conflict of Interest Policy is not meant to prevent or exclude individuals or companies from doing business with the Board; but rather to ensure that fairness and openness prevail in all our business dealings.

Policy

Toronto Catholic District School Board expects, consistent with the teachings of Jesus Christ, that employees will at all times conduct themselves with personal integrity, ethics, honesty and diligence in the performance of their duties. Employees are expected to support and act in the best interest of the Board. Employees are therefore expected either:

- to avoid, as far as practicable, placing themselves in situations in which their personal interests may actually or potentially conflict with the interest of the Board, or
- at any and all times and places and regardless of whether engaged in or on or about Board business, to take all reasonable steps to avoid the exercise of any influence on Board decisions in which they have a personal interest.

Regulations

1. In this Policy and Regulations^[1]:

1.1 the interest, direct or indirect, of the spouse of an employee, or of a parent, sibling or child of an employee or the spouse of any of them, shall, if known to the employee, be deemed to be also the interest of the employee;

1.2 an employee has an indirect pecuniary interest in any matter in which the Board is concerned, if

(a) the employee or his or her nominee,

(i) is a shareholder in, or a director or senior officer of, a corporation that does not offer its securities to the public,

(ii) has a controlling interest in or is a director or senior officer of, a corporation that offers its securities to the public, or

(iii) is a member of a body, that has a pecuniary interest in the matter; or

(b) the employee is a partner of a person or is in the employment of a person or body that has a pecuniary interest in the matter;

1.3 “pecuniary interest” includes any interest in which there exists a possibility for gain of any kind by any person, including a corporate person;

1.4 “senior officer” means the chair or any vice-chair of the board of directors, the president, any vice-president, the secretary, the treasurer or the general manager of a corporation or any other person who performs functions for the corporation similar to those normally performed by a person occupying any such office.

2. The provisions of this Policy are, and are to be considered as, supplemental to, not in substitution for, the obligation of employees:

2.1 to truly, faithfully, impartially and to the best of the employee’s ability execute the duties of the office to which the employee has been appointed; and

2.2 to declare as required by Board policy and regulations whenever the employee has a pecuniary interest in any matter, and

2.3 to refrain from any attempt to influence a decision of the Board in respect of any matter in which the employee has a pecuniary interest.

3. Whenever an employee on his or her own behalf or while acting for, by, with or through another, has or acquires any personal interest, pecuniary or otherwise, direct or indirect, that does or may conflict with the interest of the Board, such employee shall:

3.1 disclose such interest at the earliest practical time to the Director of Education or designate (or, in the case of the Director or a Deputy Director of Education, to the Chair of the Board); and

3.2 refrain from taking part in or influencing any discussion or decision-making in relation thereto, whether before, during or after any meeting or discussion, formal or informal, in relation thereto.

4. In addition to the requirements of paragraph 3 an employee

4.1 whose duties include the authority to make:

(a) either a decision authorizing the expenditure of Board funds,

(b) or a recommendation to another employee leading to a decision of the latter authorizing expenditure of Board funds, (including but not limited to principals, vice-principals and other non-union staff)

4.2 and such employee has or has ever had


(a) a personal relationship, or

(b) a business relationship outside of the performance of the employee's duties,

with the person, firm or corporation to whom the funds in such expenditure will be paid or payable, the employee shall disclose such relationship at the earliest practical time to the Director of Education or designate.

5. As often as required by the Director of Education, each employee shall complete, sign and deliver to the Director of Education or designate, "Employee's Acknowledgement and Compliance Statement" in a form determined by the Director of Education from time to time.

6. Employees are expected to be scrupulous in their compliance with the requirements of law and this policy.

	<p style="text-align: center;">TORONTO CATHOLIC DISTRICT SCHOOL BOARD</p> <p style="text-align: center;">Employee's Acknowledgement and Compliance Statement as to Conflict of Interest</p> <p style="text-align: center;"><i>To Be Completed When Required By The Director of Education</i></p>
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I have read, understand, and agree to abide by the Board Policy "Conflict of Interest: Employees". In particular, I acknowledge that the interests of certain others, as defined in the Regulations to the Policy, are my interest for the purpose of the Policy and this Acknowledgement and Compliance Statement.

* I confirm I am currently in compliance with the Board Policy, and disclose the following actual or potential direct and indirect interests in which the Board may also have an interest:

* I am associated with the following supplier(s) of goods or services to the Board (attach additional pages if necessary to include all relevant suppliers):

1. Name of the Supplier(s):.....
.....

Nature of the Association (e.g. owner, relative).....
:.....

2. Name of the Supplier(s):.....
.....

Nature of the Association (e.g. owner, relative).....
.....

* Other: (eg. relationship, interests or associations that may have a bearing)
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Dollar value of all disclosed interests: \$.....

I understand that this Acknowledgment/Compliance Statement will be retained and in effect for as long as I remain an employee.

I further understand that if, subsequent to the signing of this statement, a potential or actual, direct or indirect, interest arises, I must disclose this to the Director of Education or delegate. Failure to disclose an interest or to comply with Board Policy regarding Conflict of Interest will be subject to such measures as the Board may deem appropriate, which measures could include termination of employment.

Name: (please print) _____

Signed: _____ Dated: _____

[\[1\]](#) The definitions and portions of the text of the Regulations are taken from the *Municipal Conflict of Interest*, R.S.O.

1990, c.M.50